c\a\n\a\d\a delineating nation state capitalism

Adrian Blackwell and David Fortin

In a recent informal conversation with Elder Winnie Pitawanakwat about the notion of property, there was a long pause of silence while she thought. Then a smile. Then a question of what that really meant. "How can someone own the land?" she eventually asked. "Do they think they own the trees too? What about the birds, the animals, the insects? I've never really understood how someone can think they own any of it." 1 Nisga'a architect luugigyoo patrick reid stewart likens the grammar of the English language to the striation of colonial land appropriation. To counter the violence of language, he writes without periods or capitals and spells "Canada," a word derived from the Iroquoian word kanata, meaning "settlement," with backward slashes between each of its letters.2 This critical spelling literally illustrates the fragmentation of land produced through the delineation of colonial land appropriation, while highlighting the irony of the word chosen to name a settler-colonial state. Over forty years ago, Toronto architect George Baird was similarly drawn to explore the relationship between land division and language, when he began a consideration of the lot, the piece of property on which a building sits, as the essential semiotic unit of both architectural typology and urban morphology.3 In this theory, the shape and size of urban lots define the form of building and the form of city that can be built. Baird illustrates this by tracing the genealogy of land division backward to the founding of the City of Toronto. For Baird, semiotics is an analytic tool that allows us to understand how space itself is produced as a form of communication, structuring and organizing human interactions and relations.4 This investigation was part of a postmodern understanding of history and context in the making of cities, which has had a deep influence on urban planning and design since the 1970s. luugigyoo's perspective expresses an Indigenous understanding of language as a way of organizing land in lieu of its physical division. luugigyoo and Baird share deep commitments to the importance of human communication, yet they describe entirely different relations to land, from divergent cultural positions; as a result, they speak little to one another.

This volume examines the act of delineation as a process that is common to cartography, surveying, urban planning, urban design, landscape architecture, and architecture. Each of these disciplines draws lines to prescribe the division and compartmentalization of land. In order to address the continuities of intention and effect between these different types of plans, this volume is interdisciplinary, presenting the perspectives of delineators at different scales, as well as people interested in critically following these lines: historians, artists, a filmmaker, an economist, and an activist. Across this breadth, delineation is seen at once as the ongoing expropriation of land inhabited by Indigenous people by settlers, and the gradual construction of the spaces of a capitalist nation-state. For this reason, this volume is inherently cross-cultural, and the editorial team and contributors present diverse Indigenous and settler perspectives on these questions. It explores the connections and continuities, both temporal and

spatial, between the violence of colonial property division, and the pathologies of contemporary urban and architectural form.

Recent Indigenous and allied scholarship points out that settler-colonialism is an act of land appropriation, and that any form of decolonial politics in the Americas needs to move beyond discussions of cultural recognition and deal directly with Indigenous control of traditional lands.5 In 1975, Mohawk historian Phil Monture became director of the Land Claims Research Office at Six Nations of the Grand River in Southern Ontario. For the past forty years Monture and his collaborators have been studying the process of land division in the former Haldimand Tract, an area of land in Southern Ontario six miles on either side of the Grand River from its mouth in Lake Erie to its source, granted to the Haudenosaunee of the Six Nations in 1784.6 This team has documented the rights granted and payments made for the use of these lands, in order to understand the process of colonization in detail, and to build a case for fair compensation and new forms of collaborative control over these lands. One crucial part of this research is the detailed mapping of the Haldimand Tract, including mid-sized cities like Brantford and Caledonia down to their individual lots, areas never surveyed such as the lands north of Fergus to the river's source.7 These drawings trace a process of land dispossession cut across a range of scales, from the continental-tracing the movement of the Six Nations from traditional lands on the south side of what is now called Lake Ontario. in present day New York Stateto the regional, the urban, and to specific private lots. Land division is a nested process, in which lines at larger scales constrain and direct the subdivision of each smaller scale. During the process of settler colonialism, land was taken from Indigenous peoples at multiple scales. While Crown "purchases" often dealt with large parcels consisting of hundreds of square kilometres, and Crown treaties often accounted for hundreds

of thousands of square kilometres, land appropriation was often led by individual settlers squatting parcels of Indigenous lands without any title or right. These scattered plots, often initiated under the pretext of sharing land with Indigenous peoples, soon interfered with Indigenous land practices and became the pretext and leverage for settlers to initiate coercive treaty processes. So, delineation worked in two directions, it was scaled up from individual plots, and scaled downward from Crown land appropriations. It is this imbrication and co-constitution of architectural and geographical scales that sparks this volume.8

In his classic text on nineteenth-century architecture, Toronto: No Mean City, Eric Arthur traced urban form back to colonial land appropriation. He begins with the so-called "Toronto Purchase" and follows this with maps and drawings which further divide this space into park lots and urban development land.9 For Arthur, this logic of land division has structured the subsequent architectural morphology of the city, but he makes little mention of the violence of settler-colonialism itself.10 Similar arguments about the importance of land division to architectural form begin to appear in the writings of European architects in the 1960s, as architect Irena Latek points out in her contribution to this volume. In The Architecture of the City, Aldo Rossi uses the work of historians Maurice Halbwachs and Hans Bernoulli to argue that architecture is always shaped by the basic units of urban land ownership. This research was followed in France in the 1970s by figures such as Bernard Huet and Christian Devillers. Their work in turn inspired the detailed urban research of George Baird and his students at the University of Toronto in 1977 on the form of the North Jarvis Street precinct, which diagnosed the alarming process of land assembly in the 1960s and 1970s as the primary problem of contemporary urban form.₁₁ Baird would go on to theorize that "[t]he lot is the basis of urban morphology." 12 In the 1980s, the Université

de Montréal's Unité d'Architecture Urbaine, which included Melvin Charney, Denys Marchand, Alan Knight, and Irena Latek, examined the relationship between property division and building typology in Montreal.13 More recently, Beverly Sandalack and Andrei Nicolai have undertaken research in this tradition in both Calgary and Halifax.14 These Canadian architects and planners translated a European conversation about urban morphology and architectural typology into a North American context in which very different urban forms and conditions existed. While, in Europe, these approaches were influenced both by the radical left politics of the 1960s and a nostalgia for traditional urban forms, in North America the politics were less radical and the built forms addressed were more quotidian. In both the Toronto and Montreal cases, these approaches to the study of urban form are still taught, and have had a deep influence on the practice of architecture and urban design in their respective cities.15

There is a strong resonance between methodologies of Indigenous land claims research and architectural studies of typology and morphology. Though their motivations appear at first to be quite different, both are interested in the relationship between land division at different scales, from local to territorial, from the private control of "fee simple" ownership, to the underlying control of the Nation-State's allodial property.

In The Structure of World History, Japanese literary theorist Kojin Karatani points out that it is important to understand our present political economic condition as one of "nation-state-capitalism." He sees this tripartite compound as a layering of three historical modes of exchange, the reciprocal exchanges of Indigenous nations, the hierarchical and repressive ordering of monarchical states, and the abstract violence of capitalist exchange, which severs all historical obligations and responsibilities.16 For Karatani, our contemporary problems can only be addressed only by overturning nation, state, and capitalism—which appear today in the

Four generic rights of property in land







The Fiction of Settler / Fee-Simple Property

forms of populist *nationalism*, *state* authoritarianism, and neoliberal *capitalism*—in order to find a way back to an equitable form of exchange.17 Of course, each of these superimposed historical models had very different ways of understanding land. Nomadic peoples looked at land and its human and non-human inhabitants through ideas of use, mutual responsibility, and care. Agricultural states emerged as deeply hierarchical societies in which land was striated and placed under nested relations of monarchical and aristocratic control. In these societies, the peasant class retained some security in its relation to the land, because its production provided the governing class with a required surplus. Capitalist society retained the striations of the agricultural state, but turned land itself into an exchangeable commodity, cutting the connection of most people to land.

(white men of means)

In *The Border As Method*, Sandro Mezzadra and Brett Neilson argue that novel and modern forms of property emerged through the coincident delineation of three types of lines, during the period of "so-called primitive accumulation" from the fifteenth to the nineteenth centuries:18 the boundaries of nation-states, the founding of European colonies, and the enclosure and reorganization of European land.19 In their account, none of these three forms of delineation could have emerged without the other: the colony being unnecessary without the firm boundary of the nation-state, the nation-state not being possible without the surplus generated in the colonies, the enclosure of agricultural land not possible without learning from the organized appropriation of land in the colonies.

The new form of property that emerged with modern capitalism was formed in the experimental battlegrounds of settler-colonialism. In *Colonial Lives of Property*, Brenna Bhandar uses case studies in c\a\n\a\d\a, Australia, and Palestine to expose the use of racialized conceptions of landed property to justify and rationalize processes of land appropriation. These created the abstract patterns of land-use implemented in colonial farms and towns that the enclosure of European land then emulated.20 She highlights three racist ideologies of colonial property, which in turn informed the early modern re-organization of European land: 1) "logics of abstraction" of land from its manifold topographic, ecological, and social historical relations through the Torrens system of title by registration that dispensed with the usual practice of detailed historical records of land-use; 2) "ideologies of use and improvement," which argued that land could be ethically appropriated by those who put land to use and "improved" its productivity through agriculture; and 3) the legal concept of "status," which was applied to Indigenous colonial subjects, fusing property

Figure 1.
A comparison of four generic characteristics of property—exclusion, transferability, concentration, and availability—in Indigenous land relations, European feudal property, and the settler/fee simple property. Diagram Adrian Blackwell.

and identity relations.21 While Bhandar concentrates on the way colonial logics of property informed the modern capitalist concept of property, Canadian historian Allan Greer's Property and Dispossession theorizes the process of modern "property-formation" as a cross-cultural conversation born of the encounter between Indigenous and feudal European conceptions of land in the Americas.22 Greer's analysis acknowledges the asymmetric violence of colonialism, but emphasizes Indigenous agency and resistance within this process. Differentiating between colonialism and imperialism, Greer argues that settler-colonialism only came to British and French North America after centuries of European imperialism. It was during this earlier period of imperialism, when the extraction of beaver pelts and lumber from the so-called "New World" necessitated the domination of sea routes and ports, that new ideas about property were cautiously tested and elaborated.23 Given this vast experimental terrain, it should be no surprise that, like modern American democracy, which learned from the Haudenosaunee confederacy,24 modern conceptions of property came to replace feudal ones, by integrating European misinterpretations of Indigenous land practices as well as violent and legislative responses to Indigenous resistance.

Though modern capitalist property is extremely complex in practice,25 in its ideological form it differs from both feudal property and Indigenous land practices in British North America in at least four basic ways (figure 1). First, the violence of settler-colonialism is motivated by the apparent availability of land, a characteristic universalized in the modern conception of property.26 Working-class settlers immigrated to what is now called North America because they lacked land in their homelands. While land in Europe and Great Britain was largely staked or claimed, land in the Americas appeared to be available. Though retrospectively claimed as empty, terra nullius, this land was understood by early European settlers as fully occupied by diverse Indigenous peoples,27 but in such a way that land still remained open for use by others.28 The social relations and negotiations between the original inhabitants that made this land appear available to settlers were part of an ethical and political covenant shared by many Indigenous Nations in the territory now called Canada. The first theoretical promise of modern property is its availability for purchase by anyone with means, despite the fact that this fiction is founded on ongoing racial exclusions.29 Second, modern land is exchangeable without accountability, in strong contrast to feudal land, in which aristocrats and clergy were bound to vassals and parishioners through mutual obligations. In the early years of settlement, settlers relied on the generosity of Indigenous people to act as guides and to allow them to settle. Used to trading with settlers, Indigenous people accepted gifts from settlers for the use of land. Settlers misunderstood these negotiations as alienations, and in their haste to justify their own use rights, they came to conceptualize alienability in the modern way, without obligation.30 If

the first two characteristics of modern property were influenced by a misreading of Indigenous land practices, the second two are settler strategies to address Indigenous resistance. The third is exclusivity; settler-colonialism in c\a\n\a\d\a began with individual acts of preemption and homesteading, not with treaties between nations.31 To guarantee these acts of theft, it steadily developed racialized laws of exclusion prohibiting Indigenous trespass or harvesting on these settled lands.32 Finally, unlike feudal land, which was granted to peasants by aristocrats and to aristocrats by the monarchy, capitalist land is purchased, and as a result is open to infinite accumulation and monopolization by large landholders. In contrast to the allocation of land according to use and responsibility, the monopolization of land irrevocably separates the owner from direct occupation and use.

Fee simple property rights of availability, alienability, exclusion, and monopolization, formed through the interactions of settlers and Indigenous peoples, remain the underlying basis of contemporary urban and rural inequity and violence.33 The novelty of capitalist ownership of land is structured by two contradictions. The first is between rights over the control and distribution of land in general: its supposed universal availability and the reality of its monopolization in the hands of a limited number of owners. The other is between rights of mobility of and across a given piece of land: its exclusive spatial delineation, and its mobility through exchange. These two contradictions undergird liberal political philosophy and structure ongoing processes of land appropriation in four key ways: by structuring the state, its laws, and police to protect the "universal" right of property; by facilitating predatory and speculative exchange of land; by granting owners free reign over the unbounded resources within their parcel, severing its relation to the surrounding context; and finally, by allowing a small number of owners to monopolize vast land resources.

The continuity between historical processes of territorial dispossession34 and the inequalities of contemporary urban and rural spatial forms has not yet been fully considered, so this volume brings together scholars and practitioners working on specialized parts of this story. It is our hope that this will spark further interest in making connections among disciplines, especially between spatial delineators and cultural-historical-geographic critics. What follows is organized into three sections. The first deals with settler-colonialism as a project of land appropriation. The second concentrates on the role of property-in-land and its basic unit, the lot, in determining the form and communicative relationality of c\a\n\a\ d\a, its diverse regions, and its cities. The final section looks forward to consider ways in which the violence of contemporary urbanization can be remade by acknowledging and recovering the manifold cultural and ecological relations that we have with land. As Bhandar argues, "the undoing or dismantling of racial regimes of ownership requires nothing less than a radically different political imaginary of ownership," which requires studying land practices overwritten by colonization, imagining new relations to land, and transforming the subjectivity of possessive individuals undergirded by this modern conception of property in land.35 This volume explores the ways in which the pathologies of the contemporary Canadian urban and territorial order are founded on the ongoing displacement of Indigenous land practices by settler-colonial land appropriation and division. Through its many authors, it argues that addressing this violence and shaping different futures can only be done by learning from these practices how to deconstruct settler-colonial property and rediscover relations between people and land.

The laws and spaces of c\a\n\a\d\a are founded in the violence of colonial land appropriation

German legal scholar Carl Schmitt pointed out that the root of the Greek word *nomos*, meaning law, lies in the appropriation or subdivision of land. Starting from this etymological observation, he argues that European public law emerged through the negotiation of international agreements over European land appropriation in the Americas.36 The laws which govern our daily lives often seem quite removed from the way we organize land, but Schmitt's argument makes it clear that the entire edifice of contemporary law is built on the fundamental and differential appropriation and allocation of land within a given society. Law begins as a tool to justify and police this distribution of property. Geographer Nicholas Blomley (interviewed in this volume) argues that a map "does not merely describe a system of land tenure; it creates such a system through its ability to give its categories the force of law."37 The texts in the first section of this volume make connections between the violence of Indigenous land dispossession and the legal and spatial order of our contemporary nation-state.

The first three concentrate on the colonial appropriation of the lands that make up c\a\n\a\d\a's densest urban agglomeration—the Greater Golden Horseshoe—which surrounds Toronto at the Western rim of Lake Ontario, while the following chapters look Westward to the numbered treaties, the Dominion Grid, and the land registration systems used in British Columbia.

Toronto is c\a\n\a\d\a's financial capital. For the past quarter century, its high-rise building boom has gentrified the downtown and spatially polarized wealth.38 Ironically, the transfer of land on which the City sits involved the payment of the meagre sum of "24 brass kettles... 200 lbs Tobacco, 47 Carrots... 10 dozen Looking Glasses... 1 Hogshead containing 18 pieces Gartering... 24 Laced Hats... 2,000 Gun Flints... 1 Bale flowered Flannel... and 96 Gallons of Rum... equivalent to about 1,700 pounds, for roughly 500 square miles."39 In their illustrated video script—By These Presents: "Purchasing" Toronto-Mohawk artist Ange Loft, historian Victoria Freeman, and filmmaker Martha Stiegman place the reader within the juridico-political nexus of the so-called "Toronto Purchase." By breaking down the legal and historical records and throwing these statements into dialogue, the video lays bare the asymmetry of power, coercion, and misunderstanding at the base of this negotiation.

Artist Luis Jacob has spent years trying to understand why Toronto's art scene lacks a sense of its own history. To remedy this absence, he co-organized the conference "This is Paradise" in 2015 and curated the exhibition "Form follows Fiction" in 2016-both were subtitled "Art and Artists in Toronto." In the exhibition, Jacob pointed to the resonance between the map of the Toronto Purchase and the title of George Baird's essay "Theory/ Vacant Lots in Toronto," and postulated that Toronto itself is a city founded on forgetfulness, in which a fiction of vacancy is the original narrative that structures its growth.40 His contribution to this volume, "The View from Here," explores this hypothesis through the curation of

maps made by European colonists between 1677 and 1814. For each map, Jacob zooms in on the location of the future City of Toronto and captions each image with each of the various Indigenous and settler names then given to this place. These are accompanied by excerpts from histories that describe this place at the time that the map was made. Jacob's text-work allows the reader to discover for themselves that colonists historically understood that specific Indigenous people used this land, and to follow the co-constitution of Indigenous displacement, colonial amnesia, and urban development over time.

This volume was inspired by Phil Monture's work with the Six Nations of the Grand River Land Claims office mapping the coerced loss of Six Nations' land within the Haldimand Tract, a territory that forms the Western edge of the Greater Golden Horseshoe. We interviewed Monture to get a better understanding of the context of his research: the evolution of the Research Office, ongoing court cases with Provincial and Federal governments, and the plans for creating sustainable infrastructure in the community. In our conversation, Monture clarifies a number of things: the leasing of land to settlers within the Haldimand Tract was precipitated by the illegal incursion of squatters, which the Crown refused to prevent; many parcels were never paid for; the Canadian government retained in trust and never returned mortgage payments on Six Nations lands; and that Six Nations negotiators understood these as limited grants of use rights, rather than as the wholesale alienation of their lands.

Winnipeg was c\a\n\a\d\a's gateway to the prairies, what was to become the agricultural heartland of the nation. So, much like Chicago in the U.S. midwest, the city was built as an exchange point for agricultural capitalism. Winnipeg-based planner Sarah Cooper reviews geographer Owen Toews' Stolen City: Racial Capitalism and the Making of Winnipeg, describing the book's organization into four settler-colonial visions that formed the city—export-agricultural, urban

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industrial, suburban, and the urban post-industrial—and the ongoing resistance that confronted each of them from Métis and Anishinaabe peoples and industrial workers. Toews uses this historical reading to better explain the conflicting visions of Winnipeg's downtown in the new millennium. As Cooper points out, these violent policies of displacement form the ongoing basis of the "normative assumptions" and "everyday decision-making" of politicians and planners.

Winnipeg sits in Treaty 1, the first of eleven numbered treaties negotiated with Indigenous peoples between 1871 and 1921, as part of the post-confederation project to secure settlement rights to lands west of Ontario. Originally from Treaty 6 territory, landscape architect Tiffany Kaewen Dang observes that the Dominion Land Survey was an abstract tool to organize the flatlands of the prairies as a vast agricultural factory, laid over 800 square kilometres of western c\a\n\a\ d\a. She emphasizes the extractive worldview that underlies both the grid and the National Parks system, exposing the apparently neutral project of conserving land from development and for recreation as an "ideological re-landscaping," removing Indigenous people and rendering their historical presence invisible. Dang shows how the delineation of parks was a necessary complement to the social and environmental violence of c\a\n\a\d\a's fundamentally extractive economy.

This section ends by zooming out through Sabrien Amrov's review of Brenna Bhandar's Colonial Lives of Property, which examines settler-colonialism in different places, beginning and ending in British Columbia as an example of Bhandar's three ideologies of modern property. First, she explains the widespread practices of preemption and homesteading, which were used to lay claim to lands that the Shuswap and other Indigenous groups did not appear to use. Second, she examines the land registration system developed by Robert Richard Torrens in the 1850s in South Australia, which was subsequently used throughout B.C., in lieu of the title chains required in England. Finally, building on Cheryl Harris's "Whiteness as Property," she examines the way in which identity and property form a nexus, one that is exemplified in the differential property rights accorded to First Nations and settler subjects through the designation of status. Amrov points out the ways in which Bhander is able to explain the relationship between ideologies of white supremacy, Zionism and settler-colonialism, by illustrating that these are each instantiated through logics of property. Amrov cautions us not to imagine that undoing the violent structure of capitalist property requires novel thinking; rather, she argues it requires careful attention to the already existing practices of people who were racially excluded from it.

The lot is the base unit of urban morphology and architectural typology

As Phil Monture has shown, the lot is crucial in examining even large colonial land appropriations. In many instances the appropriation of a single lot is the first move of encroachment, resulting in larger transfers later. It is important to look to the lot, the elementary particle of land delineation, to understand the form of contemporary urbanization. Though innovations such as the introduction of the condominium in the 1960s and mortgage derivatives in the 1990s have allowed for the further subdivision of the ownership of a parcel, the dimensions and orientation of urban lots place significant constraints on the size and shapes of the buildings which can be built on them and the roads which provide access to them. Architects began to understand that the lot provided a way of exploring the relationship between social, economic, and political forces and architectural and urban form in the second half of the twentieth century. This new area of research emerged as a way of grounding spatial design in a given context, and as a critique of the creative destruction of modernist planning and design in its contemporaneous practices of urban renewal. The first three chapters in this section represent research by prominent Canadian architects and planners who have been influential in making the connection between urban and architectural form and the parcelization of land. The second half of this section puts contemporary urban socio-spatial urban and rural forms in relation with Indigenous concepts of land tenure.

George Baird and Irena Latek each offer powerful descriptions of the way in which European concepts of urban and architectural typology and morphology were imported to North America, where they encountered a less valuable urban fabric, and an interest in vernaculars influenced by the dirty realism of Robert Venturi,

Denise Scott Brown, and Steven Izenour's Learning from Las Vegas.41 In their respective cities of Toronto and Montreal, they explain the coincident turn toward typology and morphology as a postmodern technique of refocusing attention on the social and political dimensions of urban space. Affirming the close relationship of property and law, Baird argues that the lot is the basis of urban morphology, that the laws applied to it generate building typologies, and that by studying the lot we can understand the synchronic and diachronic dimensions of urban form.42 Creatively fusing structuralist and phenomenological approaches to architectural theory, Baird points out that the political agency of citizens is strongly affected by the structure of urban lots, arguing that lot assembly often limits autonomy, while fine-granularity allows for agency over space, even in squatter settlements. Though Baird's arguments of the 1970s and 1980s reflect a postmodern skepticism of large plots, his recent reading of Karl Polanyi's critique of liberalism has pushed him to consider the role of commonly held land in providing secure tenure for all people. In her detailed history of architectural studies of morphology and typology, Latek points out that this European tradition was motivated by a renewed emphasis in the architectural profession on public space. Latek's complex analysis has led her to raise crucial questions about modern architecture's contradictory emphasis on the alienation of labour in factories and the collectivization of land for social housing. The Montreal reception of this tradition, represented by the writing and teaching of Melvin Charney, emphasized the social dimension of urban spaces, and especially the importance of a pragmatic appreciation of the everyday forms of the city.

Building from her earlier research into urban morphology in Canadian cities, professor of land-scape architecture and planning Beverly Sandalack uses two areas of downtown Calgary to illustrate the impact of spatial segregation (and homogenization) that was propagated through the rigid zoning of 1960s urban renewal, as well as recent attempts to remedy such rigid forms of urban categorization. While Calgary's East Village optimizes the use of the street to break down the "walls" of the planned lot, Victoria Park remains largely walled in, where the combination of shared vertical property lines established by condominium developments and the private boundary of the lot at street level diminishes the opportunity for a "high-quality public realm."

Architectural historian Roberto Damiani and urban designer Michael Piper, who teach with Baird at the University of Toronto, take up the challenge of following their colleague's 1978 research in "Vacant Lottery" backward in order to better understand the delineation of space in the Toronto region over time. They describe the historical mapping of Southern Ontario through four moments—the original dispossession of land from Indigenous peoples, the subdivision of these parcels through "free grants" and Crown Land Surveys, the city grids which further sectioned the agricultural land of these surveyed

areas into urban lots, and finally the consolidation of lots in the second half of the twentieth century for speculative development and urban renewal. Damiani and Piper lay out the political and spatial continuities between these different projects of delineation and the ongoing racialized ideology they enact.

For decades, Nicholas Blomley has argued for the centrality of property in the production of capitalist space. Our interview with him focuses on work published over the past five years that addresses the complexity of the concept of property as a contested form. For Blomley, the property system has been legally designed to place different people in different levels of precarity in relation to the property they inhabit. This spectrum of precarious property space leaves them more or less vulnerable to exploitation. While Blomley points out ways in which Indigenous peoples have been placed in extremely precarious property relations, he also illustrates the ways in which they problematize and exploit the unfounded nature of fee simple and government's underlying property rights in strategies of creative resistance.

Lastly, a tour of the Six Nations of the Grand River with Oneida architect Brian Porter offers insight into the role of property division within a contemporary reservation. Land title and transfer, economic disparity amongst citizens, and a history of development along the path of least resistance in the absence of zoning bylaws, have resulted in a number of disconnected spatial conditions and a series of archetypal developments throughout the reserve. The interview raises questions about the ongoing socio-cultural and environmental impacts of imposed colonial spatial frameworks within contemporary First Nations communities.

Decolonization multiplies our relationships with land

Many Indigenous scholars are clear that settler delineation of property as discrete, exchangeable, monopolizable territories designated for individual use is fundamentally at odds with humans' necessarily reciprocal relationships with land. This final section of this volume includes texts and artworks that imagine ways of producing space in complex interaction with the surrounding world. In Red Skin White Masks, Dene political theorist Glen Sean Coulthard explains the ways in which Indigenous resistance to colonial land appropriation is not reactionary, but creative in the way in which it expands and deepens our relation to land: "Indigenous struggles against capitalist imperialism are best understood as struggles oriented around questions of land-struggles not only for land, but also deeply informed by what the land as a reciprocal relationship ought to teach us about living our lives in relation to one another and our surroundings in a respectful, nondominating and nonexploitative way." 43 If European and settler-colonial law is derived from land appropriation, Michi Saagiig Nishnaabeg scholar, artist, and poet Leanne Betasamosake

Simpson argues that land in its non-appropriated form is our most important teacher, because through it we learn about our most fundamental collaborations: "Like governance, leadership and every other aspect of reciprocated life, education comes from the roots up. It comes from being enveloped by land [...]. And while each individual must have the skills and knowledge to ensure their own safety, survival and prosperity in both the physical and spiritual realm, their existence is ultimately dependent upon intimate relationships of reciprocity, humility, honesty, and respect with all elements of creation, including plants and animals,"44 While each of the contributions in this final section are deeply critical of contemporary colonial property relations, they also point toward future potential relations to land. This section begins with contributions that address the extractive worldview on which the Canadian economy has remade most of the national territory into an operative landscape of exploded urbanization and resource expropriation. Bonnie Devine's elegant pairing of urban and Indigenous representations of territory forms a hinge, following which contributions focus on the imploded urbanization of c\a\n\a\d\a's largest cities.45 This final section concludes with the wisdom of luugigyoo patrick reid stewart, who points to the impossibility of even delineating boundaries between animate and inanimate beings-let alone around discrete parcels of land:

> "in western thinking they make a distinction between animate and inanimate if inanimate objects exist they are there for the taking nobody owns them and this has led to the to me destruction of land to resources." 46 water In place of this colonial relationship luugigyoo insists that "one s relationship to the land is spiritual there has to be respect for all of creation understanding that everything is animate you re talking about the rocks

(grandfathers) you're talking about the trees you re talking about the water the air."47

Economist D.T. Cochrane and Secwepemc Tiny House Warrior Kanahus Manuel draw on the work of her father, the late Arthur Manuel, in their interrogation of mainstream economists' conceptions of value that lie at the heart of both the colonial dispossession of land and the capitalist exploitation of labour. Cochrane and Manuel point to the abstraction of the capitalist process of asset valuation, in which the stream of future earnings is discounted in the present based on the level of risk. Similar to Blomley. who insisted on the tactical importance of using the ungroundedness of capitalist property to further Indigenous resistance and sovereignty, Cochrane and Manuel point to the ways in which the intensification of risk can be mobilized as a tactic by the Secwepemc First Nation to undermine capitalist conceptions of value, in order to stop the Trans Mountain pipeline, which is encroaching on and damaging their land. Yet, this undermining of capitalist value is in no way nihilistic, as it might appear from a settler perspective; it is rather the joyful affirmation of an entirely different system of value.

Intern Architect Dani Kastelein-Longlade highlights the cultural schisms between perceptions of relationality by examining how the Crown initially acquired title to the lands around Georgian Bay through various treaties with First Nations, but then eventually subdivided and sold such "property" for recreational use by non-Indigenous cottage-goers. Further complicating these new land uses was the government's deployment of its "responsibility" to protect "natural" landscapes by introducing new boundaries restricting Indigenous relationships with the land, including the harvesting of food. Within just a few generations, Indigenous sovereignty over these lands was entirely usurped through the colonial agenda of increased land exploitation and settler privatization. Through this project, Kastelein-Longlade reconnects with

their Métis heritage and practices, helping to resuscitate and valourize their presence in a place where they have faced erasure.

Baring their sketches, notebooks, and decolonizing thought-processes, landscape architects Sophie Maguire and Eunice Wong eviscerate concepts dear to design education, such as "surface," "program," and "user." Their collective manifesto-in-the-making points to the hopelessly shallow limitations of landscape architectural practice. In response, they insist that landscapes need to be made in a completely different alliance with the ground on which they are shaped, and in a deep and complex reciprocity with the people and other beings who inhabit them.

The impossibility of reconciling Indigenous and colonial conceptions of land lies at the heart of Anishinabek artist Bonnie Devine's Circles and Lines: Michi Saagiig. For an exhibition in the City of Mississauga, she painted a series of diptychs which pair colonial maps from different eras, delineating territory for the purpose of land appropriation, with paintings of these spaces that describe diverse Indigenous land relations. These paintings, and her accompanying text, centre on the complex interactions between her home territory of Serpent River First Nation on the north shore of Lake Huron, the traditional territory of the Mississaugas of the Credit River in the contemporary City of Mississauga, the Mississaugas' present-day reserve to the south of the Six Nations of the Grand River, and the destructive urban and agricultural lands developed through colonial processes of surveying. Devine's simple and elegant paintings present expansive visions of land as a complex constellation of animals, lakes, rocks, and people.

Toronto-based Abenaki artist Rita Letendre has been a powerful force in Canadian modernist painting for close to seventy years, starting with her participation in the Montreal Automatistes in the early 1950s and the Plasticiens towards the end of that decade. In 1965, Letendre made her first outdoor mural, *Sunforce*, at California State

Figure 2: Aerial photograph of Calgary and Tsuut'ina Nation, Google Earth.

 $c\a\n\a\d\a$ delineating



nation state capitalism

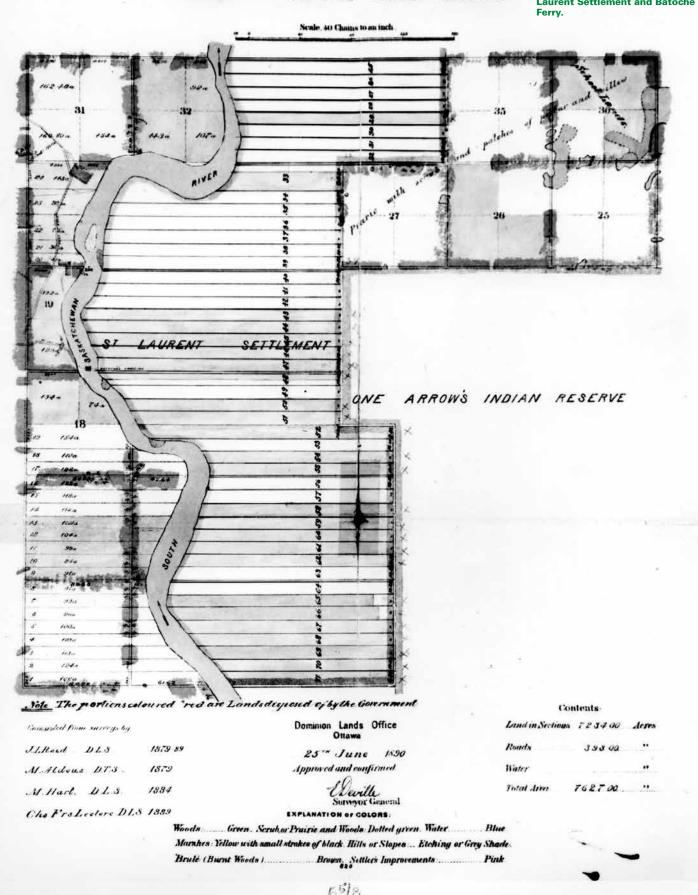
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THIRD EDITION (CORRECTED) PLAN OF

TOWNSTILL MOUS

RANGE 1 WEST OF THIRD MERIDIAN

Figure 3.
Historical map of St. Laurent
Settlement illustrating
the convergence of three
contrasting relationships
between settle-ment and
land. Provincial Archives
of Saskatchewan. S-B6500.
Township Plan 43-1 W3. St.
Laurent Settlement and Batoche



University, Long Beach, and followed this with outdoor murals in Toronto, starting with *Sunrise* in 1971 on a Ryerson University residence, and *Urtu* in 1972, on a Davenport Road house. These Toronto works were literally painted on property lines, yet Letendre's abstract perspectival lines blast open these enclosing surfaces unmaking their closure with expansive space. These two works, alongside most of Letendre's other public works in Toronto, have subsequently been painted over, built over, or otherwise removed. Art historian Adam Lauder has spent years researching the history of Letendre's public pieces, reviving the memory of these important works of Indigenous modernism in c\a\n\a\d\a. In this volume, he examines the provocative siting of these works on property lines, their vulnerability as a result of this location, and the ways in which these paintings attempt to undo the logic of property itself, imagining a completely different form of spatiality.

Finally, in our interview with luugigyoo patrick reid stewart, he emphasizes the incapacity of "property" to adequately address the infinitely complex web of social and cultural relations between people and their environment. For luugigyoo, the structural logic of delineated space is akin to that of grammar and education, and strict adherence to both spatial and linguistic social constructions are essential to create and maintain the idea of a colonial state. Personal reflections on systemic racism and injustice throughout the career of one of c\a\n\a\d\a's most respected Indigenous architects reveal that the relentless patterns of control that the colonial state continues to impose emerge from a combination of political will and a complex and layered legal structure, whose naturalization presents daily challenges to any decolonizing agenda within the spatial realm. Throughout the interview luugigyoo focuses on the care of Indigenous children. If the legacy of the residential school system undermined the potential for a decolonial future, luugigyoo's revolutionary housing for foster children enables them to remain in place if a foster family breaks down. Through this and other projects which nurture and support Indigenous children and youth, luugigyoo lays an architectural foundation for future Indigenous resistance and creativity.

From River Lots to Road Allowances: A "Country Born" Case Study

Throughout this volume, the role of "property" in shaping our individual and collective perceptions of place, identity, value, and our myriad relationships with each other and the land, is paramount. Despite the impossibility of the idea that humans can "own" parcels of land and everything on/under/above it, this idea has nonetheless evolved into the broadly assumed default spatial ordering system, grafting itself onto the living fabric of our planet. The delineation and commodification of land has led to entirely reconstructed landscapes, sitting in stark contrast to those geopolitical forms evolving from Indigenous epistemologies. One example of the acute disjunction between these systems can be seen in the southwest corner of Calgary's shared border with the Tsuut'ina Nation, where the line between unfettered suburban growth fuelled by resource extraction and more dispersed Indigenous forms of land stewardship sharpens daily (figure 2).

These examples of divergent relationships with land ultimately tell the distinguishing story of c\a\n\a\d\a, formed through strategic and violent demarcations of "property" and the subsequent social and environmental outcomes that have emerged from them. Such has been the case for c\a\n\a\d\a's Red River Métis, an Indigenous people formed through mixed-blood relationships during the fur trade who crystallized into a distinct political and cultural group throughout the eighteenth and nineteenth centuries in present-day Manitoba. Linked to the themes explored throughout this volume, the Métis have historically been described as "country born," suggesting their concurrent emergence as a distinct Indigenous people during the formation of the nation-state itself.

Thus, it is not surprising that the history of the Métis in c\a\n\a\d\a is intimately tied to issues concerning land division. In 1870, under the leadership of Louis Riel and others, the Métis made one of their first acts of physical resistance against the federal government in response to the arrival of the surveyors, those hired to re-demarcate the land as per the newly imposed Dominion Grid that directly conflicted with existing Métis river lots along the Red River. The Métis river lot was inherited from the French along the St. Lawrence, and though it was privatized, it was also

consistent with Métis values of egalitarianism, given that all families had access to the river and the road, with houses close to each other for a greater sense of community. The threat of incoming land speculators from eastern c\a\n\a\d\a and the incompatibility of the Dominion Grid to align with these values was therefore perceived as a threat to the Métis way of life, ultimately leading to armed resistances in 1870 and 1885. Emblematic of the role that land division played, it was the execution of surveyor Thomas Scott at Upper Fort Garry by the Riel provisional government in 1870 that ignited the conflicts between the Métis provisional government and c\a\n\a\d\a. The second and final Métis resistance of 1885 occurred at Batoche (also known as the St. Laurent Settlement), in present-day Saskatchewan, and it was also centred on the ongoing tensions surrounding land surveys and disputes over title.48

While the Métis were ultimately successful in their 1870 resistance, leading to the establishment of the province of Manitoba and recognition of their aboriginal title through land claims, the following decades were defined by the government's relentless efforts to extinguish Métis title to land through the controversial "scrip" system.49 After their victory at Batoche in 1885, the Canadian government continued to see the Métis as "numerous and potentially dangerous," presenting a threat to their plans for further federal expansion into western c\a\n\a\d\a.50 The scrip system, which had been initiated in Manitoba, was another means of alienating the Métis from their land, legally terminating their aboriginal title through a convoluted and imbalanced exchange of land for money ultimately intended to "placate" them.51 However, even after scrips were issued, many Métis still did not see "owning" land being as important as "living on" it, with many continuing to "squat on random lots, not seeing the need to establish a permanent claim to any one place." 52 This supports David Burley's archaeological research into prairie Métis spatial orders in Saskatchewan, which concluded that, even after their shift from communal hunters to settled farmers, the Métis maintained an "organic, informal, unbounded, and open society with strong continuity in the human/ nature relationship."53 Following their defeat in 1885 and subsequent economic struggles, many Métis ended up squatting in the road allowances across the prairies, where they became known as the Road Allowance people, a new collective identity literally defined by the lines of the Dominion Grid.

The Township No. 43 Plan, drawn by the Dominion Lands Office in 1890 (five years after the Batoche Resistance) adequately summarizes the confluence of colonial and Indigenous attitudes towards land discussed throughout this issue (figure 3). The individualized Dominion Grid defines the west side and northeast corner of the drawing, while the South Saskatchewan River and the responding Métis River Lots occupy the central axis. To the southeast is One Arrow's Indian Reserve with no delineation or hint of "property" whatsoever. Its perceived emptiness reads as a "void" because its land relations can only

be explained through the Indigenous language and teachings of the place. The complexity of its placeness cannot be mapped, nor can its semiotics be reduced to a "fee simple" lot. It was never empty. It was, and remains, "the most important teacher," reiterating Simpson's declaration.

The plan notably includes the recognition of the "St. Laurent Settlement," physically damaged and economically bereft after the 1885 resistance, with one of the lot lines itself clumsily striking through it in a gesture of cartographic erasure. Yet quite legible at the centre of the drawing is the word "settlement," the meaning of the word kanata. This is the site of one of the last wars fought on c\a\n\a\d\a's soil during its young history, and unsurprisingly highlights the collision of the three land-based value systems within one Township, composed of thirty-six square-mile sections.

Endnotes

- 1 David Fortin, conversation with Elder Winnie Pitawanakwat at Laurentian University, 19 April 2019.
- 2 See our interview with stewart in this volume, as well as luugigyoo patrick reid stewart, "Indigenous Architecture through Indigenous Knowledge: Dim sagalts'apkw nisim [Together we will build a village]," (PhD Diss., University of British Columbia, 2015). xiv.
- 3 See our interview withBaird in this volume.4 See Adrian Blackwell,
- "The City from Sign to Medium: Private Property, Public Space, and the Pragmatics of Architecture," in The Architect and the Public: On George Baird's Contribution to Architecture, ed. Roberto Damiani (Macerata: Quodlibet, 2020), 141–164.
- See Glen Sean Coulthard, Red Skin White Masks: Rejecting the Colonial **Politics of Recognition** (Minneapolis: University of Minnesota Press, 2014); Heather Dorries, David Hugill, and Julie Tomiak, "Racial **Capitalism and the Production** of Settler Colonial Cities, Geoforum, 19 August 2019, https://doi.org/10.1016/j. geoforum.2019.07.016; Nick Estes, Our History is the Future (London: Verso, 2019): Shiri Pasternak and Hayden King, Land Back: A Yellowhead Institute Red Paper (Toronto: Yellowhead Institute, 2019); Leanne Betasamosake Simpson, "Land as Pedagogy: Nishnaabeg Intelligence and Rebellious Transformation," **Decolonization: Indigeneity,** Education & Society 3, no. 3 (2014): 1-25; Owen Toews, Stolen City: Racial Capitalism and the Making of Winnipeg (Winnipeg: ARP Books, 2018); Julie Tomiak, Tyler Mccreary, David Hugill, Robert Henry, and Heather Dorries, "Settler City Limits," in Settler City Limits: Indigenous Resurgence and Colonial Violence in the Urban Prairie West, ed. Heather **Dorries, Robert Henry, David Hugill, Tyler McCreary, and**

- Julie Tomiak (Winnipeg:
 University of Manitoba Press,
 2019), 1–21; Eve Tuck and K.
 Wayne Yang, "Decolonization
 Is Not a Metaphor," Decolonization: Indigeneity, Education
 & Society 1, no. 1 (2012): 1–40.
 6 See Phil Monture, "The
 Puzzle of the Haldimand Tract:
 45 years of Land Claims
 Research at Six Nations" in
 this volume.
- 7 See Six Nations Lands & Resources Department, Land Rights A Global Solution For the Six Nations of the Grand River (Ohsweken, ON: Six Nations Land & Resources Department, 2019), 16–17, 26–31.
- 8 This issue also returns to the theme of this journal's inaugural issue—property—and especially Shiri Pasternak's essay in that volume, "Property in Three Registers," in Scapegoat: Architecture / Landscape / Political Economy 0, special issue on Property, ed. Adrian Blackwell and Etienne Turpin (Fall 2010): 10–17.
- 9 The Toronto purchase is explored in Angle Loft, Victoria Freeman and Martha Steigman, "By These Presents: 'Purchasing' Toronto" in this volume.
- 10 Eric Arthur, *Toronto No Mean City* (Toronto: University of Toronto Press, 1964), 1–13.
 11 George Baird, "Theory/ Vacant Lots in Toronto," in
- Vacant Lottery, ed. Barton Myers and George Baird, Design Quarterly 108 (1978): 16–21; Jason Gilliland and Pierre Gauthier, "The Study of Urban Form in Canada," Urban Morphology 10, no. 1 (2006): 51–66.
- 12 George Baird, "Studies On Urban Morphology in North America," in *Writings on Archi*tecture and the City (London: Artifice Books on Architecture, 2015), 126.
- 13 Irena Latek, Melvin Charney, Georges Adamczyk, and Alan Knight, Ville métaphore projet: Architecture urbaine à Montréal 1980– 1990 (Montreal: Éditions du Méridien, 1992).

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Beverly A. Sandalack and Andrei Nicolai, Urban Structure - Halifax: An Urban Design Approach (Halifax: Tuns Press, 1998); Beverly A. Sandalack and Andrei Nicolai, The Calgary Project: Urban Form/Urban Life (Calgary: University of Calgary Press, 2006). See, for example, Brigitte Shim and Donald Chong, Site Unseen: Laneway Architecture and Urbanism in Toronto (Toronto: University of Toronto, Faculty of Architecture, Landscape, and Design, 2004).

16 Kojin Karatani, *The Structure of* **World History:**

From Modes of Production to Modes of Exchange (Durham: Duke University Press, 2014), 20-25.

Ibid., 285-307.

Karl Marx, Capital, Volume I, trans. 18 Ben Fowkes (London: New Left Review, 1976), 870-940.

Sandro Mezzadra and Brett Nielson, "Fabrica Mundi: Producing the World by Drawing Borders," Scapegoat: Architecture / Landscape / Political Economy 4, special issue on "Currency," ed. Adrian Blackwell and Chris Lee (Winter/Spring 2013): 8.

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Allan Greer, Property and Dispossession: Natives, Empires and Land in Early Modern North America (Cambridge: Cambridge University Press, 2018). Roberto Damiani and Michael Piper, "Toronto 1788–1978: Dispossession, Real Property, and the City"

in this volume mobilizes Greer's history. 23 Greer, *Property and Dispossession*, 5–11; see also Luis Jacob, "The View From Here" and Damiani and Piper, "Toronto 1788–1978" in this volume.

See Haudenosaunee Confederacy, 24 "Influence On Democracy," Haudenosaunee Confederacy website, https://www. haudenosauneeconfederacy.com/influenceon-democracy/, and Donald A. Grinde, Jr., "The Iroquois and the Development of American Government", Historical Reflections / Réflexions Historiques 21, no. 2 (Spring 1995): 301-318.

See Nicholas Blomley this volume. Locke insists on the universality of property in individual personhood and labour. He first explains the limits to a person's ability to monopolize resources, and then goes on to justify the concentration of land through the labour of servants. See John Locke, Two Treatises of Government, ed. Peter Laslett (Cambridge: Cambridge University Press, 1988), 285-302.

27 See Jacob, "The View from Here," in this volume.

See Greer's conception of the 28 overlapping of European and Indigenous commons, Property and Dispossession, 241-270.

29 See Amrov, "The Intimacy of Three **Ideologies**

of Property," and Bhandar, The Colonial Lives of Property.

Rob Nichols makes a similar argument that property only comes into being through settler colonial theft. See Nichols, "Theft is Property," 14; For a discussion of the novelty of land mobility, see Adrian Blackwell, "Currency=Territory: Force, Circulation, Precarity," in Progress and Prosperity: The Chinese City as Global Urban Model, ed. Daan Roggeveen (Rotterdam: nai10 Publishers, 2017), 127-141.

See Monture, "The Puzzle of the 31 Haldimand Tract, in this volume, and Bhandar, The Colonial Lives of Property,

See Kastelien, "We Belong with the Water" in this volume.

These four characteristics are outlined in Adrian Blackwell, "What Is Property? Notes on the Topology of Land as the 'Historical Precondition' and 'Permanent Foundation' of Capitalist Architecture," Journal of Architectural Education 68 no. 1 (March 2014): 50-54.

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37 Nicholas Blomley, Unsettling the City: Urban Land and the Politics of Property (London: Routledge, 2003), 7-8, quoted in Bhandar, The Colonial Lives of Property, 51.

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