

Accumulation by repossession: Capitalist settler colonialism in Coast Salish territory

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journals.sagepub.com/home/epn**Thilo van der Haegen** 

Faculty of Business, Economics and Social Sciences, University of Hamburg, Hamburg, Germany

Heather Whiteside 

Department of Political Science, University of Waterloo, Waterloo, ON, Canada

Abstract

Several Coast Salish First Nations are actively involved in land reclamation and redevelopment in the greater Vancouver region (Canada). Through their for-profit development corporations, entities like Nch'kay Development Corporation (Squamish Nation) and the joint-venture Musqueam, Squamish and Tsleil-Waututh Development Corporation have become key players in the lucrative Vancouver property market in partnership with other public and private land developers. Situating multibillion-dollar holdings like the Jericho and Senákw projects that further highest-and-best-use appraisal within the context of the area's settler colonial history, we argue that land repossession and its associated development was made possible through settler colonial forms like corporate decisions, legal judgements and political frameworks that rendered land ready for disposal. Repossession thus created options for new types of reintegration into capitalist spheres, primarily as residential real estate projects, independent from specific configurations of land tenure as fee simple or reserve land. Advancing the concept of 'accumulation by repossession,' a recursive moment associated with dispossession, we describe how First Nations peoples are regaining land title and political-economic control at the same time as their development corporations are promoting urban capital accumulation through privatized profit-making. Land 'improvement', speculation, and the creation of private real property have driven Indigenous dispossession in Coast Salish territory just as they now shape repossession.

Keywords

Capitalism, dispossession, land, repossession, settler colonialism

First making its appearance on an 1869 surveyor's map, a 37-acre parcel restricted a locus of First Nations' territory to a forested lot at the mouth of English Bay on the southern shore of False Creek. Within two decades, Kitsilano Reserve No. 6 was encroached on by the City of Vancouver (incorporated

Corresponding author:

Heather Whiteside, Department of Political Science, University of Waterloo, 200 University Avenue West, Waterloo, ON N2L 3G1, Canada.

Email: h2whiteside@uwaterloo.ca

in 1886) and Canadian Pacific Railway (CPR, building its track in 1886). Under mounting pressure from government and corporate forces alike, in 1913 the False Creek Indian Band was further displaced from the small reserve to which the community had been shunted. Through a combination of expropriation and lease, Kitsilano Reserve No. 6 was chipped away at by the city, industrial interests, and military; eventually, after decades of resistance, the Squamish Nation, into which the False Creek Indian Band had amalgamated, surrendered No. 6 in 1947 (see: Harris, 2017; Leonard, 2010). Various animated by public and private sector interests ranging from rail, lumber and cement, to parks, tourism and hosting a world exposition, the capitalist freehold, leasehold and Crown land surrounding False Creek developed apace. Rezoned from industrial to comprehensive in 1974, land values rose, and rail lost its lustre. Shifting from profiting off the circulation of commodities to the development of real estate, in 1989 Canadian Pacific Ltd. (formerly CPR) put up for sale 10.5 acres previously appropriated as the railway's rights of way, sparking a series of court cases that would ultimately see this sliver of the original reserve parcel reacquired as Squamish reserve land in 2001.

Reserve land in Canada is owned by the Crown, held in trust for First Nations peoples as outlined in the *Indian Act* dating to 1876. More recently, Canadian courts have come to recognize the *sui generis* collective ownership rights of Aboriginal Title, creating a patchwork of overlapping and sometimes contradictory land rights associated with the development of settler colonial capitalism. Renamed Señákw ('the place inside the head of False Creek'), the reserve's oddly shaped borders straddling the Burrard Bridge follow the Y-shaped rights of way enjoyed by CPR since the 1880s. In 2022, the Chairperson of the Squamish Nation broke ground at the site managed by the Nation's corporate entity Nch'káy, launching the construction of eleven towers with an anticipated 6000 apartments. Apart from 250 units reserved for Squamish Nation members, many of whom are experiencing housing insecurity (Hiyám Housing, 2024), revenue will be generated through rent, profiting from Vancouver's famously tight housing market. In other words, over the past century, an Indigenous peoples' village has morphed from rail to residential through various iterations of ownership (Harris, 2012, 2017; Leonard, 2010, see also: Hamilton, 2006; Harris, 2009; Schuurman, 2000). For all its intricacies, the Señákw saga is not a one-off but instead part of a larger dynamic of capital accumulation in Coast Salish territory (focusing here on large projects in Vancouver and environs¹) that features a complicated property rights regime connecting dispossession and repossession centred on property disposal, sale and transfer.

Like Señákw, Jericho Lands, another land parcel slated for significant real estate development, faced its share of twists and turns. With ocean-flowing streams and beach access, this 90-acre site was once a rich fishing and hunting ground for First Nations prior to the 19th century. Musqueam and Squamish peoples' cultural activities centred on the village of ʔəyálməxw/Iyálməxw ('good camping ground') and forested hills were harvested and used as outposts (Matthews, 1954; Squamish Nation, 2024). Settler logging began to encroach on this territory by the mid-19th century, as did the estates and leisure activities of wealthy Vancouverites. Seized as government reserve land by the province (without treaty or military conquest), the outbreak of World War II saw much of the land leased to the federal government for military purposes, supporting the airforce, Jericho Garrison, and Department of National Defence barracks. Various structures and purposes have been put to the land by government over the past 100 years, some buildings surviving, others demolished, and several activities relocated (Whiteside, 2021).

Despite having declared its land at Jericho as surplus in 1995, the Canadian federal government maintains a 50% equity stake held by its Crown corporation Canada Lands Company (CLC). In 2014, CLC and the Musqueam, Squamish and Tsleil-Waututh Development Corporation (MST) created a joint-venture partnership to purchase the 52 acres of federal land in fee simple known as the Jericho Lands East property, followed by a similar 2016 deal between MST and the provincial government for 38 additional acres. The City of Vancouver was authorized to conduct the planning and

consultation work required for development, and the site is likely to see the development of 13,000 new homes together with new commercial and light industrial uses over the coming decade.

The political-economic academic literature often interprets capitalist settler development as a form of original accumulation or accumulation by dispossession (Hall, 2013; Harvey, 2003), shaping nineteenth to 21st century dynamics in what is now British Columbia (Coulthard, 2014; Cowen, 2020; Harris, 1997, 2004; Paulson and Tomiak, 2022; Whiteside, 2019). Land is primary to settler colonialism, as Brenna Bhandar (2018) reminds us, the dispossession of which is largely enabled by the Lockean notion of improvement. Land improvement through 'highest-and-best-use' (Blomley, 2004), and the urge for accumulation through land, drives inherently racialized dispossession of Indigenous land led by a diverse group of interests such as the state, capitalists and individual settlers (Harris, 2004), though not without Indigenous agency in resisting, adapting to and working within the settler capitalist political economy (Lutz, 1992).

For scholarship on the political economy of settler capitalism, colonization initially resulted in the dispossession of First Nations' lands, creating the enabling conditions for historic and contemporary accumulation dynamics. We seek to contribute to this scholarship by advancing the concept of 'accumulation by repossession,' evidenced through the dynamics and use logics of property development in Coast Salish territory over the *longue durée* (Ekers, 2023) of settler colonialism where contemporary economic development forms a 'recursive element' within larger settler capitalist accumulation dynamics (Nichols, 2020). Whereas 'dispossession' is apt for analyses of property rights transformed through privatization (shifting from the state to the market), 'repossession' helps to characterize the shift in property rights through disposal, sale or transfer (from the market to state and collective ownership). In Whiteside (2012), repossession is examined as asset nationalization to assist capital accumulation in the wake of corporate bankruptcies and economic crisis. Here we investigate the shifting ownership dynamics and complex property arrangements wrought through mixed private ownership as freehold and leasehold land, state ownership as Crown land and collective ownership as Aboriginal Title (Whiteside, 2024).

The explicit aim of this paper is to situate such property arrangements within settler capitalist contingencies. While we are able to tackle some key aspects of corporate real estate development, a thorough accounting of multi-dimensional settler colonialism is neither possible here nor the purpose of this paper (see: Snelgrove et al., 2014: 2). Companion pieces on real estate that apply an 'Indigenous research paradigm' (Wilson, 2001: 175) centering Indigenous epistemologies and worldviews would be especially welcome. Given that false appropriation and misrepresentation of Indigenous worldviews must be strenuously avoided (Bocking, 2011; Carey and Silverstein, 2020; Mcgregor, 2018), the argument here offers accumulation by repossession as an analytical political-economic description of the systemic and contradictory nature of the contemporary settler capitalist process, it is not meant to capture the manifold dimensions or Indigenous perspectives to land reclamation. To put it plainly, this paper in no way seeks to assess or advise on the actions and economics of Indigenous peoples.

Accumulation by repossession within Coast Salish territory includes the following prominent First Nations Development Corporations: Tsawwassen Economic Development Corporation, Musqueam Capital Corporation, Nch'kay Development Corporation (Squamish Nation), Takaya Developments (Tsleil-Waututh Nation) and the co-owned Musqueam, Squamish and Tsleil-Waututh Development Corporation (MST) that hold title to lucrative real estate valued in the billions of Canadian dollars.² First Nations Development Corporations are legally incorporated as private entities that employ a range of actors drawn from the wider community (Indigenous and non-Indigenous), including executive officers, project managers, accountants, taxation specialists and legal counsel.

The analysis focuses on two real estate projects: Señákw (Nch'kay) and Jericho Lands (MST-CLC). We find that the repossession of land parcels at Jericho and Señákw was activated through corporate decisions, legal judgements and political frameworks that created opportunities for new

types of land (re)integration into the settler economy, namely as residential real estate and light commercial properties. The projects at Jericho and Señákw, described in detail elsewhere (van der Haegen, 2024, 2025; Whiteside, 2019, 2020, 2021, 2023b, 2025), are profit-oriented undertakings that scrutinize land through capitalist highest-and-best-use accounting logic (Christophers and Whiteside, 2021). The Nch'kay and MST Development Corporations, together with partners from the private sector and different levels of government, are building high-density leasehold (rental) apartments as assets aimed to extract revenue from the lucrative Vancouver housing market. Often described in policy documents as economic reconciliation (Whiteside, 2021), these projects advance capitalism while simultaneously positioning First Nations Development Corporations as influential actors in urban real estate, with funds generated for the provision of Indigenous services and infrastructure. Repossession by First Nations Development Corporations subjects reclaimed land to expanded reproduction, thereby connecting it to capital accumulation in a settler colonial city (Dorries et al., 2022; Hugill and Simpson, 2023), once more reminding of intertwined capitalism and colonialism (Bhambra, 2020; Coulthard, 2014; Dorries et al., 2022; Pasternak, 2020; Paulson and Tomiak, 2022) and the settler colonial goal of integrating Indigenous lands into capitalist economies (Coulthard, 2014: 7; Dorries, 2017; Tuck and Yang, 2012: 5).

Putting into conversation several foundational literatures in critical geographical political economy on dispossession, land and settler colonialism, this paper unfolds in a series of steps. The first section examines the property rights regimes of Canadian (English) common law, narrowing to the activities of First Nations Development Corporations, and processes of accumulation by dispossession and repossession. Next, by way of historical background and conjunctural context, we summarize colonial dispossession and capitalist real estate speculation in Vancouver, followed by an elaboration of repossession and accumulation through Señákw and Jericho real estate. The case study evidence indicates that contemporary repossession, however unique its forms may be, cannot be understood as independent from the recursive dynamic of dispossession (Nichols, 2020). The notion of improvement, together with a push for land control and accumulation, drives dynamics of dispossession, just as this is foundational to dynamics of repossession.

Property rights regimes and economic development

A 'property regime' (Safransky, 2023: 12) is formed by ideas of rights and relations that enable ownership and specify relationships. Before turning to the specific regime in Coast Salish territory, it is useful to first explain the principal types of property rights at issue (as conceived of through Canadian common law). Canadian private property rights are most commonly held in fee simple (freehold) or leasehold. Crown land enjoys what is called 'allodial title,' held without hindrance or superior authority, a concept in English common law dating to the very origins of the feudal system (Bhandar, 2018). Aboriginal Title, land rights held collectively by First Nations peoples, dates to the 1763 Royal Proclamation affecting British North America west of the Allegheny mountains, meaning that both Indigenous Title and private property rights were based on the allodial claim of the Crown. More recently, in 2014, the Supreme Court of Canada recognized Aboriginal Title as a type of *sui generis* collective ownership, and in that sense it now 'burdens' Crown rights (Blomley, 2015). Constructed as a collective right of First Nations, the Aboriginal Title property rights of individuals are restricted to use and enjoyment rights and do not extend to possession or disposal. There has been no fee simple reserve land ownership in British Columbia historically, given its status as Crown land held in trust for Indigenous peoples, but this is changing as of late through efforts to introduce 'collective' fee simple title for First Nations (Blomley, 2014; BC, 2024).

The consequences of a multi-faceted property rights regime are myriad. For one, Aboriginal title often exists in parallel with other forms of landownership. Where Indigenous ownership is recognized based on the Crown's allodial title (i.e. reserve land), the collective ownership structure of Aboriginal

title is often undervalued even within a geographical area of otherwise appreciating market values, which makes economic development difficult (Campbell, 2015). Manny Jules, Chief Commissioner of the First Nations Tax Commission puts it this way: ‘without property rights certainty [as permitted by fee simple ownership] we cannot compete for the type of business and investment that we need to be part of the economy. Our lack of property rights has meant that our lands have lower market values and we have to spend a great deal of time and money establishing investor certainty’ (First Nations Tax Commission, 2010).

Some changes of note include the 1999 *First Nations Land Management Act* and associated Framework Agreement that allow First Nations peoples to opt out of part of the constraining national legislation (*Indian Act*) and establish private property rights on reserve land, thus replacing aspects of collective title with individual title. According to the Land Advisory Board (First Nations Land Management Resource Centre, 2019), the framework agreement replaces the paternalism of the *Indian Act* with the self-empowerment of First Nations-determined land provisions for those bands who so choose. According to the Yellowhead Institute (Jobin and Riddle, 2019), the framework agreement discourages communal land tenure, encourages capitalism, and dampens the fight for stolen lands. Similar accounts are offered by Indigenous studies scholars like Pasternak (2015) and Hall (2015) on the privatization of Indigenous land. Nevertheless, there are currently 165 First Nations signatories to the Framework Agreement, including the Tsawwassen, Musqueam, and Tsleil-Waututh Nations. The Squamish Nation voted against changing their land code in 2011, meaning the *Indian Act* still applies on Squamish reserve land. Contemplating the heterogeneity of property relations on Coast Salish territory, privatization-related assessments of collective title are one side of the issue; greater complexity is added when we consider how Coast Salish Nations are increasingly holding fee simple title and developing leasehold through their for-profit development corporations in the wake of the *First Nations Land Management Act* and related jurisprudence, resulting in an array of different configurations of land ownership held by First Nations Development Corporations.

With the adoption of the *Tsawwassen First Nation Final Agreement Act* (2007), 724 hectares of reserve land were transferred in fee simple to the Tsawwassen Nation. The Tsawwassen Economic Development Corporation was duly incorporated in 2009 and is now engaged in selling \$800,000 single family homes, condos, townhomes and duplexes with Aquilini Development Group (Aquilini) as leasehold property, advertising opportunities for families to gain access to land previously unavailable to the public. For retail, the First Nation owns Tsawwassen Commons and Tsawwassen Mills, involving a 99-year lease for a 1.2 million square foot mall. It also owns a 100-acre industrial logistics centre.

Under the auspices of the Tsleil-Waututh Land Code (2007), Takaya Developments (Tsleil-Waututh Nation, TWN) is developing several parcels of TWN reserve land in North Vancouver up the Burrard Inlet. Examples include Raven Woods with its 91 leasehold condos and 48 luxury townhomes, and Seymour Village with over 500 residential units. Like Tsawwassen Economic Development Corporation, Takaya partners with Aquilini.

Following a 2008 land transfer in fee simple from the province to the Musqueam First Nation, and guided by the Musqueam Indian Band Land Code (2012), the Musqueam Capital Corporation (MCC) is currently developing mixed rental and leasehold units at lelòm, a 22-acre site near the University of British Columbia’s main campus. It is mixed use retail and residential, featuring an 18-storey condo with townhouses, community centre and daycare. The properties are marketed by Polygon Homes. Complicating matters, the *University Endowment Land Act* antedates this project by over a century, fettering certain MCC land development choices at this site. Land already commercialized near Vancouver International Airport was also part of the 2008 fee simple transfer.

Nch'kay Development Corporation (Squamish Nation) is developing its real estate project Señákw on reserve land, and it has announced plans to create a land use strategy to assess the development potential for an additional 350 acres of reserve land.

As a joint venture, the Musqueam, Squamish and Tsleil-Waututh Development Corporation (MST) holds 160 acres of fee simple land worth over \$2 billion, all centrally located in high value areas: Marine Drive in West Vancouver, Jericho Lands and Heather Street Lands in Vancouver (co-owned by the federal Crown corporation Canada Lands Company, CLC), and a former Liquor Distribution Branch in east Vancouver (co-owned by Aquilini). Lastly, the Musqueam and Tsleil-Waututh hold the fee simple property Willingdon Lands in Burnaby (also with Aquilini).

In sum, throughout the Lower Mainland and across a range of economic development projects, there are different configurations of ‘repossessed’ land. As detailed above, repossession is not inherently one-to-one with Land Back or the extinction of Indigenous land claims; instead, it captures the expansion of accumulation through high value real estate led by First Nations Development Corporations and their private sector partners. Land redevelopment often proceeds as 99-year leasehold property, not outright sales to the public at large. As property scholars have highlighted (e.g. Bhandar, 2018; Blomley, 2004), the contemporary property regime emerges from ‘processes of abstraction and simplification that get to work manufacturing the very reality they are supposed to represent’ (Sylvestre and Castleden, 2022: 416). The large-scale real estate projects of First Nations Development Corporations emerge from a historically contingent process of accumulation within Coast Salish territory that features both dispossession and repossession. After more thoroughly discussing our theoretical approach, the final section will examine how repossession unfolds through the *Señákw* (Nch'káy) and Jericho Lands (MST-CLC) properties, as rendered by the corporate decisions, legal judgements and political frameworks that structure the broader settler economy.

Accumulation by repossession

Land acquisition and its development by First Nations Development Corporations is a recursive moment (Nichols, 2020) within the long-run dynamics of what David Harvey (2003) calls accumulation by dispossession. Harvey used the concept to more fully understand the reproduction of capitalist social relations and integration of areas previously outside of capitalist circuits of accumulation (Hall, 2013: 1585). With capitalism routinely experiencing crises of overaccumulation that stymie systemic imperatives for growth (Harvey, 2003: 87ff), problems of overaccumulation can either be (temporarily) ‘fixed’ through the reorganization of capitalist space (as expanded reproduction), or through the enhanced commodification of previously non-capitalist realms (accumulation by dispossession). Scholars have often described settler colonialism in British Columbia/Coast Salish territory as a process of accumulation by dispossession where new areas of exploitation and settlement were created, and market-making was driven by imperial ambition and capital interests (Cowen, 2020; Harris, 2004; Paulson and Tomiak, 2022).

In political-economic terms, ‘repossession’ refers to when an entity reclaims or takes back an object that was used as collateral. Kloppenborg (2010: 368) offers a more elaborate view, with repossession as a dialectical process, or double movement, from commodification to decommodification, ‘the actual recovery or reacquisition of what has been lost, and even the proactive creation of new, commons-like spaces in which more just and sustainable forms of social production might be established and elaborated.’ Recovering that which was lost or stolen would seem to squarely apply to First Nations reclaiming land that was dispossessed through colonization and thus to the activities of First Nations Development Corporations. However, the situation is complicated by the fact that land is either being purchased fee simple through market sale and/or existing reserve land is being developed as leasehold properties; and these redeveloped parcels are then put back to the market to capture revenue through profitable investment in lucrative real estate projects.

Whiteside (2012: 67) suggests understanding the root word ‘possession’ in terms of its four different yet interrelated components: assets (property rights), power (social relations), authority (decision-making or influence) and control (the ability to purposefully direct operations). While each project is

unique, for First Nations Development Corporation projects, property rights often feature hybrid ownership (Crown, Aboriginal Title, fee simple, leasehold), whereas power, authority, and control are all enhanced for these First Nations. Of course, many elements of control are also retained by the state and shared with investors, making this a highly commodified version of repossession. Limiting our analysis to a political-economic perspective (not the cultural or identity-related aspects of land reclamation), repossession appears as a dialectic between the increase of power, authority and control claimed by First Nations Development Corporations and the expansion of settler capitalist territoriality as property control (Coulthard, 2014; Sack, 1993). Accumulation by repossession signifies both the expansion of settler colonial territoriality (dispossession), as well as expanded reproduction led by First Nations Development Corporations.

In light of the tangled relationship between *sui generis* Indigenous land rights and the colonial property system (Blomley, 2015), the process of accumulation by repossession emerges from the ‘knotty question of how these rights are to be articulated by, and managed within, a common-law legal system’ (Blomley, 2014: 1293). Reconciliation-oriented land claims are translated into different forms of land tenure that can, through different accommodations, be a functioning part of the accumulation process. Repossession indicates a property regime that is ‘entrenched’ in settler colonial power relations whereby the expansion of private property is depicted as a form of redress (Blatman-Thomas and Porter, 2019).

Settler colonial forms are both historically continuous (Estes, 2013) and contemporary (Sylvestre and Castleden, 2022). As Nichols highlights, individual instances of conquest, treaty-making or, as we argue, repossession, can only be understood by observing dispossession as a structural ‘macro-historical process’ (2020: 89). Given that dispossession is itself seen as recursive, or a feedback loop in which ‘each iteration is not only different from the last but builds upon or augments its original postulate’ (9), repossession is equally part of the structure or the *longue durée* (Ekers, 2023) of settler-capitalist accumulation.

How ‘colonialism makes its world’ (Pasternak, 2023) is a nuanced process that needs to be analysed beyond simplistic binaries without diminishing the violence of the process of colonization, its inherent power relations and logics, or the legitimacy of Indigenous land claims. Viewing colonization not as a simple process of elimination, but rather as a process of entanglements (Curley, 2021), we can more fully grasp the variegated yet continuous nature of dispossession that continues to work towards the transformation of land ‘into private, accumulable “resources”’ (Paulson and Tomiak, 2022: 155) based on the private property system and its logics of accumulation.

Often construed as antithesis to capitalism (Cattelino, 2008; Paulson and Tomiak, 2022), First Nations nevertheless engage with settler colonialism through adaptation or resistance, out of necessity, or for their own benefit (Edmonds, 2010: 241; Harris, 1992, 2017; Lutz, 1992; Squamish Nation, 2024). ‘The spatial energy of capitalism works to deterritorialize people [. . .] and to reterritorialize them in relation to the requirements of capital’ (Harris, 2004: 171) and First Nations’ corporate development initiatives are part of that process. The settler colonial frame (Simpson, 2016a) may drive the goal of acquiring Indigenous lands (Coulthard, 2014: 7; Dorries, 2017; Tuck and Yang, 2012: 5), while Indigenous peoples might experience contradictory transformative moments (Cattelino, 2008; Champagne, 2007; Harris, 2004; Tomiak, 2017). Repossession is recursively linked to dispossession, accumulation and the devaluation of land within capitalist circulation, as well as to Indigenous resistance and activism with its own visions (Barry and Thompson-Fawcett, 2020; Squamish Nation, 2024), politics (Coulthard, 2014; Daigle, 2019; Simpson and Le Billon, 2021) and strategies (Harris, 2017; Pasternak, 2015).

The concept of accumulation by repossession should not be understood as an anachronistic backwards projection of dispossession-enabling English common law property ownership (Hall, 2013: 1583). Private property arose in the process of colonization (Nichols, 2020), and repossession is a contemporary formulation happening within the frame of the Western private property regime and its

logic of accumulation. Equally, repossession should not invoke a simplistic image of *imposition* on passive First Nations communities, as if repeating colonial narratives of a disappearing people (Hore, 2022), or be misunderstood as an assessment of how First Nations peoples *should* navigate contemporary settler capitalism. Rather, the concept is meant to highlight how repossession is part of a larger ‘circuitry of capital’ (Pasternak and Dafnos, 2018), the dynamics of which we now examine in Coast Salish territory centred on Vancouver.

Accumulation dynamics in Coast Salish territory

Prior to Spanish, Russian, English, American and Canadian forays and colonial incursion into Coast Salish territory of the Lower Mainland, it was inhabited by several Indigenous groups, amongst them peoples that today form the Musqueam, Squamish, Tsleil-Waututh and Tsawwassen First Nations. Land uses and land occupation were flexible and seasonal, and identity not as static as the creation of reserves by the colonial administration would have it (Edmonds, 2010; Harris, 1997; Matthews, 1954; Squamish Nation, 2024; Thom, 2009). Instead, Indigenous peoples were connected to a ‘larger geographical, cultural and spiritual space’ (Roy, 2007: 6). Conceptualizations of space varied and the local population frequented the wider region; interrelated groups had rights and access to the same resources and territory (Harris, 1992: 41). In other words, the whole region was a ‘Native place’ (Francis, 2021: 27).

Notwithstanding the devastation wrought by epidemics that may have killed as much as 90% of the Indigenous population (Edmonds, 2010; Harris, 1997, 2004), or the Hudson’s Bay Company-monopolized fur trade and settler colonies (Whiteside, 2023a, 2025), First Nations peoples self-governed until at least 1858, when the Fraser River gold rush saw a surge of settler activity, prompting the formation of Crown colonies at Vancouver Island and the coastal mainland (Harris, 1992, 1997). The two colonies were united in 1866, with its capital at Victoria, and its political-economic development centering on mainland railway and land speculation. British Columbia entered Canadian confederation in 1871 having negotiated the surrender of very little Aboriginal Title land.

From the early days of settler colonialism forward, the telos of highest-and-best-use appraisal, land speculation and real estate development have been instrumental in legitimizing dispossession for the purpose of capital accumulation (Blomley, 2004: 115; Edmonds, 2010: 60; Harris, 2004). Vancouver was historically surveyed by the Royal Navy, and the colonial administration set aside land for government reserves, the military, and some First Nations reserves as early as the 1860s. The area of where the Jericho development is today was part of a military reserve and the area where Señákw is today was designated an Indigenous reserve (Harris, 1992; Macdonald, 1977; Sanchez, 2020; Squamish Nation, 2024). The rest of the land was considered ‘wasteland’ that could be claimed by settlers for ‘improvement’ (Bhandar, 2018: 36), but ‘most early land acquisition was speculation that the land would rise in value’ (Macdonald, 1977: 4). Dispossession intensified once the decision was made to locate the CPR terminus station between Coal Harbour and English Bay in Vancouver instead of at New Westminster.

As is already well-established in the extant literature, the first settler land acquisitions, the relocation of the CPR terminus station, the specific placement of CPR facilities, and the ensuing land boom in the region were all decidedly shaped by railway interests and officials looking to capture potential profits from increasing land values in what was characterized as ‘empty’ space (Harris, 1992, 1997; Leonard, 2010; Wynn, 1992). The first real estate firms marketing and selling land established themselves in Vancouver at the end of the 1890s, after the city had officially been founded in 1886 (Macdonald, 1977). As Francis sums up: ‘Vancouver has always been about real estate’ (2021: 12). The creation of Vancouver and ensuing accumulation by dispossession were channelled and fuelled by capitalist interests seeking to profit from the expansion of empire and land speculation (Cowen, 2020).

With this longer history in mind, we now turn to how contemporary repossession, or real property development by corporations owned by First Nations, the Crown, and private interests, fits into the scheme of the long-standing processes of settler colonial accumulation (Paulson and Tomiak, 2022; Simpson and Le Billon, 2021). As indicated earlier, a direct connection exists between land speculation, colonial infrastructures and the displacement of Coast Salish peoples from the sites on which First Nations Development Corporations own real estate today.

The broader area around today's Jericho and Señákw sites had been used for cultural, harvesting and residential purposes by the Indigenous population to various degrees and intensities for a long time. Even with the creation of Kitsilano Indian Reserve No. 6, increasing expropriation and development pressures eventually led to complete displacement of Indigenous peoples. Almost a century later, Supreme Courts of British Columbia (2000) and Canada (2001) returned a 10.5-acre parcel (previously expropriated as CPR rights of way) to the Squamish Nation as reserve land (Barman, 2007; Harris, 2017; Squamish Nation, 2024). It is on this site that Nch'kay is now overseeing the construction of the 6000-unit Señákw development.

The 90-acre site called Jericho Lands, developed by MST-CLC, with an anticipated 13,000 residential units, was previously dispossessed through a variety of settler colonial uses, such as logging, military, golfing and educational facilities (Francis, 2021: 31; Sanchez, 2020: 36). A portion of the military property was 'returned' to the public to form Jericho Beach Park in the 1960s (Sanchez, 2020: 40). Similarly, the areas now being redeveloped were sold to the MST Nations by the federal and provincial governments because they were deemed surplus through government real property protocols (Whiteside, 2019), enabling expanded reproduction.

The settler history of both Jericho and Señákw is a story of public- and private sector-enabled dispossession, of making lands productive for the settler colonial economy based on a variety of uses and jurisdictions, eliminating what were once fundamentally different uses and conceptualizations of land. As military bases and railway infrastructure, these land use patterns formed an integral part of the settler colonial project and its infrastructures (Cowen, 2020), but their declining importance opened up the possibility for reconceptualizing land as residential real estate. Capitalist settler colonial interests shaped specific ownership arrangements in the past, and such logics continue to shape the possibilities and limits for Indigenous land repossession, that, in these specific cases, was not only enabled by the tireless work and resistance of the Musqueam, Squamish and Tsleil-Waututh (Squamish Nation, 2024), but also by the capitalist compulsion of subjecting lands to more productive, or at least more lucrative, use.

At both Señákw and Jericho, First Nations Development Corporations are developing high-density, profit-oriented real estate for the purpose of extracting revenue for their own operations (Whiteside, 2019, 2020), situated within a broader territory of Coast Salish land reclamation motivated by diverse Indigenous interests (Thom, 2014). While Señákw involves more rental housing, Jericho will see more leasehold ownership (City of Vancouver, 2024; Nch'kay West, 2023). For both developments, First Nations Development Corporations have sought to harmonize development with standard capitalist business practices and legal structures (van der Haegen, 2025).

To develop the 6000 housing units at Señákw, Nch'kay has partnered with real estate developer Westbank Corporation, a Vancouver-based residential and mixed-use property developer, who has agreed to carry all the financial risk associated with development, while the Squamish Nation is providing the land. Westbank has sold parts of its stakes to pension fund OPTrust so that the Squamish Nation now owns 50%, Westbank 30% and OPTrust the balance at 20%. As the development is taking place on reserve land, the Squamish Nation has leased the land to Nch'kay West, a partnership between Nch'kay and Westbank. The lease, rather than the land, has been used to secure financing since reserve land (which is held in trust by the Crown) cannot legally be forfeited by a First Nation collective. To ensure security for investors and tenants, the Squamish Nation has harmonized legal structures with those of the province, such as through the *First Nations Commercial and Industrial Development Act* of 2005.

As for Jericho Lands, development takes place on fee-simple private property that the federal and provincial governments have sought to privatize through highest-and-best-use appraisal (Whiteside, 2020, 2023b). The state-owned enterprise CLC retained a 50% ownership stake and the federal and provincial governments sold this land at a discount (through an accommodation agreement) in exchange for the Musqueam, Squamish and Tsleil-Waututh relinquishing their traditional claims to the site. As Musqueam chief Wayne Sparrow commented: ‘We still believe those Crown-held lands were taken from us. But we have to move forward as a community’ (Bula, 2016). After the rezoning application for Jericho is approved by the city of Vancouver, CLC intends to sell their ownership stake to MST, and the land will be developed with Aquilini who will equally carry the financial risk of redevelopment.

In sum, First Nations Development Corporations, in partnership with state and private sector actors, are entangled in novel and distinct forms of dispossession and repossession reliant upon accumulation in Coast Salish territory. Michael Simpson and David Hugill write that ‘the initial process of dispossessing Indigenous people [. . .] does not complete the colonial process, but merely inaugurates it. ‘Original’ rounds of accumulation beget future rounds of accumulation, and thus further rounds of dispossession’ (2022: 1313). Through the elaboration of accumulation by repossession, the discussion here has added nuance to depictions of continuous colonialism.

Concluding remarks on capitalism in Coast Salish territory

Several Coast Salish Nations fought vehemently against the Trans Mountain Pipeline as an expression of settler colonial encroachment (Simpson, 2022; Simpson and Le Billon, 2021); some equally thwarted the privatization of public real property in downtown Vancouver on the basis of unceded land claims (Whiteside, 2020). On the other hand, for real estate projects like Jericho Lands and Señákw, First Nations Development Corporations are involved in the repossession-enabled intensification of capitalist relations that integrate reserve/Crown land into private markets through expanded reproduction. In the current conjuncture, as in the past, it is not surprising that ‘capitalist social relations permeate most Indigenous communities’ (Paulson and Tomiak, 2022: 162, see also: Atleo, 2015; Coulthard, 2014; Estes, 2013; Simpson, 2011, 2016a). As accumulation by dispossession is incomplete and ongoing, so too are place-specific engagements with the structural forces of settler capitalism.

Audra Simpson argues that settler colonialism is a concept that ‘mask[s] seizure while attending to capital accumulation under another name’ (2016b: 440). The integration of Indigenous lands into capitalist circulation is not done through dispossession alone, forms of repossession can also link land to capitalist markets, and it does not appear as though different ownership configurations fundamentally upend this dynamic (e.g. fee simple, leasehold, Crown, reserves). Reconciliation-oriented policies and legislation now enable land revenue to be generated by the activities of First Nations Development Corporations, Crown corporations, private real estate developers and investors. In the *longue durée* of the colonial process (Ekers, 2023), land repossession, as recursive dispossession, becomes more firmly embedded within capitalist markets.

We observe four interrelated developments associated with dynamics of accumulation by repossession in Coast Salish territory: First, while Indigenous engagements with settler capitalism and economic development through various forms of land tenure are by no means new (Anderson, 1997; Levitan and Cameron, 2015; Sommerville, 2021; Tomiak, 2017; Wuttunee, 2023), the scale of First Nations Development Corporations’ real estate activities (amounting to tens of billions of dollars) is unprecedented.

Second, we may be witnessing an ‘Indigenous capital switch’ (after Castree and Christophers, 2015) through the significant future anticipated revenue flows for Indigenous communities. However, with these projects being variously co-owned, financed and/or developed by other public and private corporations, and with residential units sold as leasehold ownership or rental properties, there remains

a functional similarity with standard rentier capitalism in Vancouver, in which property owners and developers profit off rising property values sustained by the influx of capital from economic growth elsewhere (Christophers, 2010). Even if a large degree of control is retained by First Nations, the exact implications of an Indigenous capital switch remain to be determined. Binaries of collective and private, or of Indigenous economics apart from capitalism, are troubled by processes of accumulation by repossession should revenue ‘switch’ into Indigenous communities with the potential for significantly positive social impacts (Cattellino, 2005, 2008).

Third, land repossession by First Nations Development Corporations is currently managed at arm’s length from the First Nations’ political leadership (Campbell, 2015). These for-profit companies offer employment to Indigenous and non-Indigenous peoples alike, create other downstream contracting opportunities for Indigenous peoples, and bring much-needed revenue to First Nations communities in their struggle with settler colonial economic exclusion and socioeconomic disparities on and off reserve.

Lastly, a substantial amount of capital is likely to leave the circuits of expanded reproduction as investment into social goods and collective infrastructure on reserve. An interviewee (van der Haegen Interview 08/18/2023) sketched out three main uses for capital accrued through real estate development. While part will be reinvested into future First Nation economic development, most of which will likely be real estate, and another part will likely be invested productively elsewhere, a third part will be invested into the Nations’ programmes, services, and infrastructures. Following Marx’s understanding of capital as ‘essentially circulating capital’ (Harvey, 2023: 283; Marx, 1973: 639) – or value in motion – substantial revenue streams may cease to be capital if invested in non-commodified forms of social reproduction.

Given that these are ongoing processes at the time of writing, future researchers will be better positioned to make more concrete assessments; however, it will be important to remain attuned to forms of collective capitalism (Champagne, 2007: 57), hybrid property rights including collectively held Aboriginal Title (Whiteside, 2024), collective ownership (Atleo, 2015; Pasternak, 2015), and revenue redistribution amongst First Nations as collectives.

Nick Blomley reminds us that ‘Native claims are [. . .] illegible if they fail to adopt the geographies of the ownership model’ (2004: 9). As much as ‘the ideology of improvement has long rendered indigenous people (and others) as lacking in the required degree of fixity and immobility to be legally legible as owners of their lands’ (Bhandar, 2018: 182), current and longstanding land configurations demand that Indigenous claims be made legible within capitalist property regimes. Accumulation by repossession establishes settler colonial territoriality (Nichols, 2020: 88; Sack, 1983) through the integration of Indigenous lands into circulation as freehold or leasehold land, and yet First Nations’ ownership is simultaneously confirmed. Accumulation by repossession thus highlights tensions around hybrid and contradictory ownership relations (Harris, 2017).

Evidence provided through the Jericho and Señákw case studies, real estate projects owned by Nch’kay Development Corporation and the Musqueam, Squamish and Tsleil-Waututh Development Corporation, reveals how accumulation by repossession is both a long run dynamic connected to land dispossession and a contemporary form of settler capitalist adjustment to the legal rights and efforts of First Nations peoples in the face of unceded land disputes. Repossession thus sits at the interface of capitalism and reconciliation, just as it might signify a ‘colonial beachhead’ (Curley, 2021) that enables ever closer integration of Indigenous lands into systems of private property and accumulation in which ‘non-capitalist economies and Indigenous title and sovereignty are further undermined’ (Tomiak, 2017: 934). Capitalism in Coast Salish territory proceeds apace.

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ORCID iDs

Thilo van der Haegen  <https://orcid.org/0000-0002-8340-7505>

Heather Whiteside  <https://orcid.org/0000-0002-6089-7310>

Notes

1. Coast Salish Peoples' territory extends beyond the context observed in this paper and is one of fluid and differing conceptualizations of land (Thom, 2009).
2. Many First Nations communities seek financial self-sufficiency and economic wellbeing through corporate economic development (Anderson, 1997; Levitan and Cameron, 2015; Sommerville, 2021; Tomiak, 2017; Wuttunee, 2023).

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