

## Land, History and Housing: Colonial Legacies and Land Tenure in Kuala Lumpur

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**Abstract :** Solutions to policy problems need to be curated to the local context, taking into account the trajectory of the local development path to ensure its efficacy. For Kuala Lumpur, rapid urbanization and migration into the city for the past few decades have increased the demand for housing to accommodate a growing urban population. As a critical factor affecting housing affordability, land supply constraints have been attributed to intensifying market pressures, which grew in tandem with the demands of urban development, along with existing institutional constraints in the governance of land. While demand-side pressures are inevitable given the fixed supply of land, supply-side constraints in regulations distort markets and if addressed inappropriately, may lead to mistargeted policy interventions. Given Malaysia's historical development, regulatory barriers for land may originate from the British colonial period, when many aspects of the current laws governing tenure were introduced and formalized, and henceforth, became engrained in the system. This research undertakes a postcolonial institutional analysis approach to uncover the causal mechanism driving the evolution of land tenure systems in post-colonial Kuala Lumpur. It seeks to determine the sources of these shifts, focusing on the incentives and bargaining positions of actors during periods of institutional flux/change. It aims to construct a conceptual framework to further this understanding and to elucidate how this historical trajectory affects current access to urban land markets for housing. Archival analysis is used to outline and analyse the evolution of land tenure systems in Kuala Lumpur while stakeholder interviews are used to analyse its impact on the current urban land market, with a particular focus on the provision of and access to affordable housing in the city. Preliminary findings indicate that many aspects of the laws governing tenure that were introduced and formalized during the British colonial period have endured until the present day. Customary rules of tenure were displaced by rules following a European tradition, which found legitimacy through a misguided interpretation of local laws regarding the ownership of land. Colonial notions of race and its binary view of native vs. non-natives have also persisted in the construction and implementation of current legislation regarding land tenure. More concrete findings from this study will generate a more nuanced understanding of the regulatory land supply constraints in Kuala Lumpur, taking into account both the long and short term spatial and temporal processes that affect how these rules are created, implemented and enforced.

**Keywords :** colonial discourse, historical institutionalism, housing, land policy, post-colonial city

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