

Governance of Endowment Management in Algeria: Challenges and Pathways to Improvement

La Gouvernance de la Gestion des Waqfs en Algérie : Défis et Perspectives d'Amélioration

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Abstract: This study investigates the governance of waqf (endowment) management in Algeria, highlighting key challenges and proposing solutions. Using an analytical approach, it examines legislative and organizational frameworks. Key challenges identified include outdated laws, organizational overlaps, insufficient expertise, low transparency, and ineffective investment strategies, alongside excessive governmental intervention and limited societal awareness. The study recommends reforms such as modernizing legal frameworks, establishing an independent waqf authority, enhancing transparency and accountability, building capacity, and adopting innovative investment strategies to improve waqf governance in Algeria.

Keywords: Governance; Endowment; Transparency; Investment; Reform.

Jel Classification Codes: D73, O16, Z12, Z18

Résumé : Cette étude analyse la gouvernance des waqfs en Algérie, en mettant en lumière les principaux défis et solutions. Elle identifie des problèmes tels que des lois obsolètes, un manque de transparence, des chevauchements organisationnels et des stratégies d'investissement inefficaces. L'intervention excessive de l'État et une faible sensibilisation sociétale aggravent ces difficultés. Parmi les réformes proposées figurent la modernisation des cadres juridiques, la création d'une autorité indépendante, et le renforcement de la transparence et de l'efficacité. Ces mesures visent à améliorer la gestion des waqfs pour un impact durable en Algérie.

Mots clés : Waqf; Gouvernance; Transparence; Investissement; Réforme

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1. INTRODUCTION

The waqf (endowment) system has historically served as a cornerstone of Islamic socio-economic structures, playing a significant role in reducing poverty, redistributing wealth, and promoting sustainable development. However, in Algeria, the management of waqf assets faces numerous challenges that prevent the system from realising its full potential. A key issue is the lack of alignment between traditional waqf principles and modern governance requirements, leading to deficiencies in transparency, accountability, and operational efficiency. This misalignment has resulted in underutilised waqf resources, poor management practices, and diminished societal engagement with waqf initiatives.

The central research problem is: What are the main obstacles to waqf governance in Algeria, and what solutions can be proposed to address these challenges? To address this, the study explores the following sub-questions:

1. What are the key challenges and obstacles hindering effective waqf governance in Algeria?
2. How do these obstacles affect the performance and sustainability of waqf institutions?
3. What practical solutions can be proposed to overcome these challenges and improve waqf governance?

The study hypothesises that:

- Governance obstacles, including outdated legislation and organisational inefficiencies, significantly undermine the effectiveness of waqf institutions.
- Addressing transparency and accountability issues can improve public trust and institutional performance.
- Implementing modern governance practices and specialised training will enhance the sustainability and developmental impact of waqf in Algeria.

The research employs a qualitative analytical methodology, focusing on legislative documents, organisational reports, and existing scholarly work. The analysis aims to uncover root causes of inefficiencies and propose strategies to overcome them.

2. Comprehensive Framework of Endowment Management Governance

2.1 Overview of Endowment Management (Waqf)

An endowment (waqf) is a form of voluntary charity highly encouraged in Islam. It involves dedicating an asset permanently for charitable purposes, marking it as one of the most significant contributions to Islamic civilisation throughout history.

Linguistically, the term waqf means "restraint" or "prevention," with variations in usage such as awqafa yuqifu iqafan and waqafa yaqufu waqfan (al-Sarakhsi, 2014)

In Algerian law, the concept of endowment is defined in Article 213 of Law No. 84/11 dated 9 June 1984, related to the Algerian Family Code, as follows: "Restraining property from ownership by any individual perpetually and dedicating its benefits for charitable purposes." Moreover, the Land Guidance Law of 1990 refers to endowment as a mechanism for allocating real estate properties for public or charitable purposes, whereby the owner dedicates the property to ensure its benefits are perpetually utilised. These benefits may be enjoyed by a charitable organisation or a public-interest association, either immediately or after the demise of designated intermediaries appointed by the original owner. However, this definition is limited to real estate endowments and does not include other forms.

Later, the definition of endowment was expanded in Article 3 of Law No. 91/10, dated 27 April 1991, concerning endowments, as amended by Law No. 02-10 on 14 December 2002. It states: "An endowment is the permanent dedication of property to charitable purposes and the provision of its benefits to the poor or for other acts of righteousness and goodness."

Despite some variations in definitions, the most encompassing description of endowment is captured in the phrase: "Tying up the principal and enabling its benefit." This succinctly reflects the essence of an endowment as a mechanism that guarantees the perpetual utility of the dedicated asset while preserving its core integrity, ensuring it cannot be disposed of.

Economically, endowment (*waqf*) is regarded as a long-term investment that generates significant economic and social benefits for

society. It plays a pivotal role in wealth redistribution and poverty alleviation by funding projects aimed at supporting underprivileged groups. Additionally, endowments contribute to economic stability by providing independent sources of funding that are less influenced by short-term economic fluctuations (Budiman, 2014).

Based on the aforementioned definitions, the core elements of an endowment can be summarised as follows:

- **Restraint of property or asset ownership:** The endowed asset cannot be sold or transferred to another individual.
- **Donating the benefits of the endowed property:** The utility of the endowed asset is directed towards societal benefits or assisting those in need.
- **Charitable purpose:** The endowment serves either charitable objectives, such as supporting the poor, building mosques, schools, or hospitals, or public purposes, like funding community services or projects.
- **Beneficiaries:** These may include charitable organisations or public-interest groups. The benefits can be immediate or deferred until the demise of the donor or their appointed intermediaries.
- **Perpetuity:** The endowed asset remains dedicated indefinitely and cannot be revoked at will.
- **Management:** Endowments are managed according to the donor's stipulations or legal provisions to ensure sustained benefits and fulfil the intended purpose.
- **Real estate allocation:** Endowment is often used as a mechanism to dedicate real estate for public or charitable purposes.

Endowment is unique in that it transfers private ownership to divine ownership, focusing on eternal benefits that promote virtue, goodness, and solidarity. It serves as a bridge between private wealth and societal welfare, ensuring sustainable contributions to the broader community (Fattach & Maskun, 2022). Designed as a sustainable funding source, the endowment is adaptable to evolving social and economic needs, thereby supporting long-term developmental goals (Al Hashmi, 2022).

The fundamental characteristics of an endowment include the following (A.-H. U. Mohamad, 2004):

- **Islamic ritual:** Endowment is a religious act that brings individuals closer to God.
- **Restraint of ownership:** The endowed asset cannot be sold, gifted, or altered; instead, its utility is reserved for a specific charitable purpose.

- **Utilisation of benefits:** The benefits of the endowment are directed towards eligible recipients, as specified by the donor.
- **Ownership transfer:** The ownership of the endowed asset is transferred to God, and it no longer belongs to the donor.
- **Perpetuity:** Once established, the endowment remains eternal and cannot be revoked.
- **Non-transferability:** Endowed assets cannot be sold or inherited; they are permanently dedicated to their specified purpose.
- **Immutability:** The terms of the endowment cannot be altered after its establishment, ensuring the sustainability of the donor's intended goal.

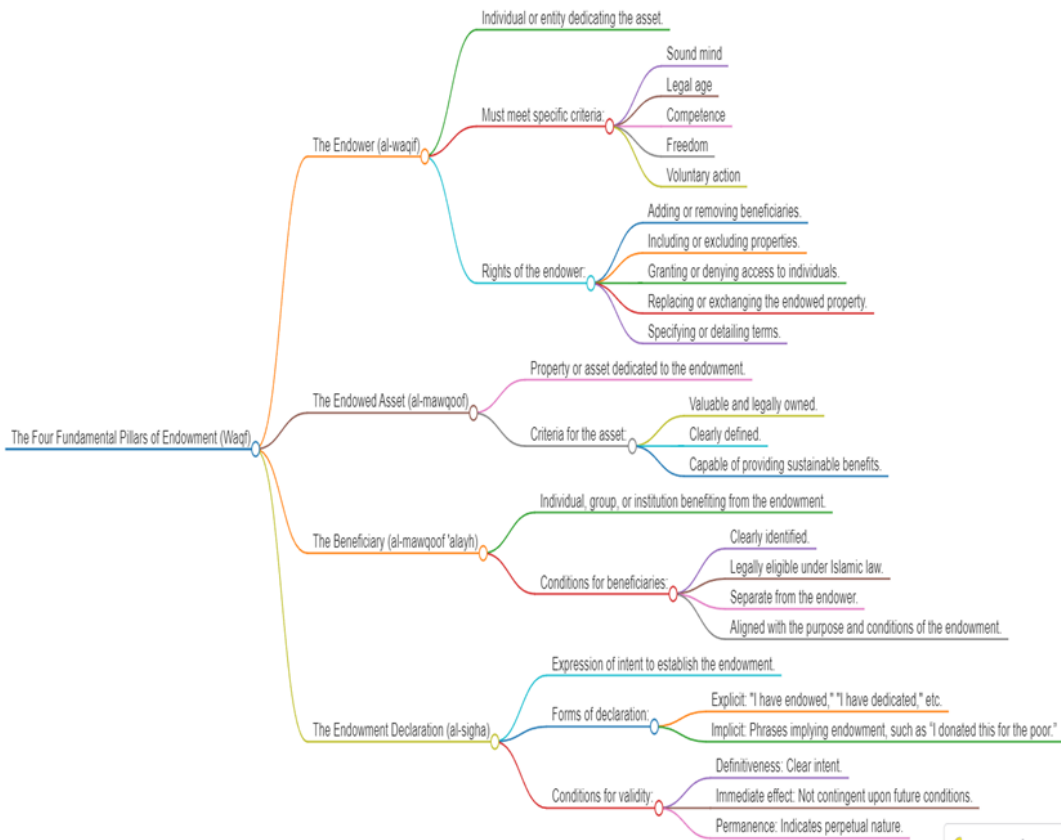
The endowment system is one of the most notable economic and social frameworks in Islamic heritage, promoting social justice and providing perpetual resources to support sustainable development. Public endowments, aimed at benefiting society as a whole—such as building schools, hospitals, and mosques—foster social solidarity and strengthen public service institutions (Al-Zuhaili, W., 2004). They also help reduce societal disparities by offering equal opportunities in education and healthcare, making them a cornerstone of Islamic communities (Amaliah et al., 2024).

Private endowments, on the other hand, reflect a more individual focus. They are often dedicated to specific groups, such as family members or particular communities, and may support initiatives like small business funding. This fosters economic sustainability, familial cohesion, and financial security, aligning with sustainable development goals (Hasan & Wigati, 2024).

Endowments also address environmental and social challenges by supporting innovative models, such as green endowments that promote waste management and renewable energy projects (Akhtar, 2024). As a result, endowment systems continue to serve as a dynamic and transformative force, contributing to the broader goals of sustainable and inclusive development. (Akhtar, 2024)

There are four fundamental pillars of an endowment (*waqf*), as outlined below (El-Maghribi, 2019) (Mosbeh, 2013):

Fig N° 1: The Four Fundamental Pillars of Endowment (Waqf)



Source: Prepared by the researcher using the Markmap application based on the aforementioned references.

Endowments (*waqf*) are classified into various categories based on their purpose, duration, nature of ownership, and the type of assets endowed. These classifications highlight the diverse applications and objectives of the endowment system, reflecting its adaptability to societal needs.

Table N°1:Classification of Endowments

Category	Type	Key Features
Purpose (Muayyad & Tahir, 2023) (R. Mohamad et al., 2024)	Charitable Endowment	Dedicated to public welfare, supporting education, or funding public services.
	Family Endowment	Benefits the donor, their family, or specific individuals and their descendants.
	Mixed Endowment	Combines charitable and family purposes, benefiting both public and private causes.
	Allocated Endowment (Irsod Waqf)	Properties allocated by governments for public services like mosques and schools.
Duration (Kahf, 2000)	Perpetual Endowment	A permanent endowment ensuring perpetual benefits and protection from alteration.
	Temporary Endowment	An endowment limited to a set period, after which the asset reverts to its owner.
Ownership (Musleh, 2013)	Shared Endowment	An endowment from an undivided share of joint property.
	Non-Shared Endowment	An endowment with clearly defined boundaries, distinct from other ownership.
Asset Use (Kamarzaman et al., 2024)	Investment Endowment	Focuses on growth and enhancement of endowed assets via lawful investments.
	Direct Endowment	Uses the asset directly for its intended purpose, such as mosques or schools.
Asset Type (Sairally, 2024) (Muayyad & Tahir, 2023)	Real Estate Endowment	Involves immovable properties like land, buildings, and orchards.
	Movable Asset Endowment	Covers movable items like books, livestock, or modern financial instruments.
	Cash Endowment	Cash-based endowments invested to generate income while retaining the principal.

Source: Prepared by the researcher based on the aforementioned references.

The supervision of an endowment encompasses a series of actions and

decisions aimed at serving both the public and private interests of the endowment. These include safeguarding its assets, leasing, enhancing, maintaining, and resolving disputes related to the endowed property. Additionally, supervision involves distributing the endowment's revenues in accordance with the stipulations and objectives of the donor. The supervisor is the individual or entity responsible for overseeing the endowment. A natural person (an individual) or a legal entity (an organisation or institution) may assume this role. The supervisor's primary duties include preserving, managing, and enhancing the endowed assets while strictly adhering to the donor's conditions to ensure that the endowment's intended goals are realized (*Mng30.Pdf*, 2017) .

In Algerian legislation, the concept of supervision is not explicitly defined. However, the legal framework primarily focuses on endowment elements, conditions, and purposes. Executive Decree 98-381, in Article 7, provides a partial definition of supervision, describing it as the "direct management of the endowed property, including its maintenance, utilisation, preservation, and protection." Notably, this definition omits the element of revenue distribution, though it acknowledges the direct management responsibilities of the supervisor in handling endowed property revenues (Ben Tounes, 2024).

Endowment management, on the other hand, refers to the processes and procedures involved in organising and investing the resources of the endowment to ensure financial sustainability and maximise its social and economic benefits for the beneficiaries. Management activities include asset allocation, governance of the endowment, and monitoring financial performance to ensure alignment with the endowment's original objectives. The primary goal is to strike a balance between preserving and enhancing the assets and meeting the long-term needs of beneficiaries (Cizakca, 2000).

Understanding the relationship between endowment management and endowed properties is crucial, as it delineates the extent of the manager's authority and responsibility. The custodian of the endowment holds a unique position, derived from the distinctive nature of endowed properties

(both private and public) compared to other assets. The custodian may be the donor themselves, a designated individual appointed by the donor, or an appointee of the authority with general jurisdiction over endowments. This dual role encompasses both administrative functions (as the manager of endowed assets) and religious significance (due to the sanctity attributed to endowments under Islamic law) (Ben Tounes, 2024).

2.2 The Role and Significance of Governance in Endowment (Waqf) Management

Governance can be literally interpreted as the process related to decision-making and the implementation or non-implementation of those decisions. This term can be used in various contexts, such as corporate governance, international governance, national governance, and so forth (Yap, 2008). Governance in Arabic is referred to as *al-hakimiyah*. This term signifies identifying a higher social level and encompasses all decision-making structures and the powers that must be held accountable (Khatab & Bouma, 2007). Good governance enables an organisation to operate more efficiently.

Governance in non-profit organisations is guided by a set of core principles aimed at enhancing transparency, efficiency, and accountability. These principles include:

- **Transparency:** Non-profit organisations must disclose all financial and administrative activities, including revenue and expenditure reports, to build trust with donors and beneficiaries.
- **Accountability:** Board members and staff are fully accountable for using resources in alignment with the organisation's stated objectives.
- **Integrity:** The organisation should adhere to the highest ethical standards in all its activities and transactions, ensuring resources are utilised for their intended purposes without misuse.
- **Efficiency:** Non-profits should strive to achieve their goals using resources in the most effective manner, minimising waste wherever possible.
- **Equity and Inclusiveness:** Governance ensures equal opportunities and non-discrimination in providing services to all target groups.
- **Sustainability:** Governance involves developing long-term strategies to

ensure the organisation's continuity in achieving its mission, even amidst economic or social challenges.

Among the factors necessitating the introduction of governance to the waqf sector are globalisation, economic growth, disclosure, transparency, and the need to address global economic crises. These factors collectively highlight the importance of the waqf institution. Since governance is a feature inherently linked to collective work, it focuses on the mission of waqf, which must uphold the highest standards of integrity, honesty, and transparency, particularly in adhering to the stipulations of the waqif (donor).

One of the primary drivers behind integrating governance into the waqf sector is its alignment with government frameworks. The waqf sector has become part of the government's organisational structure, inheriting its bureaucratic nature. This is evident in issues such as workforce inflation, organisational overlaps, a lack of stability within organisational structures, the absence of institutional administrative measurement and evaluation standards, widespread nepotism and favouritism, and procedural complexities.

The waqf sector urgently requires the application of governance standards in its management of waqf activities. These standards align with the legal frameworks and objectives of waqf, ensuring its operations are efficient, transparent, and faithful to its foundational principles. (Salahat, S. M, 2018)

The importance of waqf governance lies in the following aspects (Ishak, 2024):

- **Enhancing the Credibility of Waqf Management** :Governance plays a critical role in strengthening the credibility of waqf management as trustees of waqf properties. It is also essential in establishing waqf institutions as benchmarks and role models for other waqf centres to improve the effectiveness and efficiency of waqf administration.
- **Ensuring Efficient and Effective Service Delivery**: Governance ensures the delivery of efficient and effective services that meet the needs of stakeholders, provide value for money, and prevent the wastage of resources.
- **Fulfilling Maqasid Shariah in Waqf**: Good governance ensures that the objectives of Shariah (*Maqasid Shariah*) in waqf are achieved in the best possible manner.

- **Creating Competent Waqf Administrative Staff:** Governance fosters the development of capable and skilled administrative staff who are proficient in carrying out their entrusted responsibilities effectively.

The governance of waqf is a management and control system for waqf procedures in line with the stipulations of the waqif (donor), the interests of the waqf, and the development of the community. The importance of governance lies in preserving waqf assets, reinforcing the role of waqf in society, and respecting the conditions set by the waqif. Key principles of waqf governance include disclosure, accountability, combating corruption, empowerment, and others.

Governance in waqf institutions requires the provision of necessary data, information, and statistics to facilitate waqf development, as well as the efficient use of financial and human resources in waqf management. Additionally, there must be an independent supervisory authority. Fundamental elements for ensuring proper governance include the waqf charter, the legal and sharia-compliant framework, the basic law, and internal regulations.

Transparency in waqf institutions is achieved through various tools, including sharia supervision, internal auditing, and external auditing. It is essential to align waqf governance with the objectives of the waqif by adhering to their conditions, investing waqf funds, and ensuring that beneficiaries have the authority to manage and oversee waqf affairs. (Salahat, S. M, 2018)

3.1 The Legal and Regulatory Framework for Waqf Management in Algeria

In Algerian law, the endowment supervisor is regarded as a trustee, acting as both an agent for the endowed property and a representative of the beneficiaries. If the supervisor mismanages or embezzles the endowed assets, they are treated as a fiduciary who has breached their trust. The legislation emphasises that the supervisor's responsibilities include managing the endowment in a manner that safeguards the endowed assets and serves their intended purposes, as specified by the donor or under applicable laws.

Table N°2: Stages of Legislative Development for the Management of Endowments in Algeria

Date	Legal Legislation
4 March 1963	Establishment of the "Ministry of Endowments" under the provisions of Decree No. 63-80, tasked with managing religious affairs and endowed properties.
17 September 1964	Issuance of a decree outlining the system of public endowed properties.
9 June 1984	Enactment of the Algerian Family Code, which provided a general legal framework for endowments under the category of donations.
27 April 1991	Promulgation of Law 10-91 on endowments, establishing the general rules for organising, managing, preserving, and protecting endowed properties.
1 December 1998	Issuance of Executive Decree 98-381, specifying the conditions for managing, administering, and protecting endowed properties, as well as the procedures for doing so.
26 October 2000	Executive Decree No. 2000-336 introducing the establishment of a written attestation document.
22 May 2001	Enactment of Law No. 01-07 concerning endowments.
14 December 2002	Enactment of Law No. 02-10 concerning endowments.
During 2003	Establishment of the Zakat Fund.
10 February 2014	Issuance of Executive Decree No. 14-70, specifying the conditions and methods for leasing endowed properties allocated for agriculture.
20 August 2018	Executive Decree No. 18-213 specifying the conditions and methods for utilising endowed properties for investment projects.
3 May 2021	Establishment of the National Office for Endowments and Zakat under Executive Decree No. 21-179.

Source: Prepared by the researcher

The current organizational structure for managing endowments in Algeria can be divided into two levels: a centralised level (Ministry, Directorate, and National Office) and a decentralised regional level.

3.1.1 Management of Endowments at the Central Level

The central management of endowments in Algeria is organised through a structured framework that encompasses various institutions and bodies, each playing a pivotal role in ensuring the effective governance,

development, and sustainability of endowed properties.

- **Minister of Religious Affairs in the Endowment Sector**

The provisions of Executive Decree 89-99, which outlines the responsibilities and tasks under their jurisdiction, define the minister's authority. These include:

- Conducting studies on any work aimed at improving endowment management.
- Issuing final rulings on matters related to endowments.
- Enhancing the operation of both centralised and decentralised endowment structures.
- Taking measures to develop and grow the endowment sector.
- Protecting and developing endowments.
- Ensuring appropriate organisational measures for the sector.
- Establishing a supervisory system for activities related to endowments.
- Overseeing endowment management actions.
- Coordinating between local and international authorities concerning endowments.
- Setting policies for managing endowments in accordance with the law.
- Establishing a consultative body for coordinating and developing national endowment policies.
- Supporting collaboration among relevant parties to enhance and develop endowments.
- Representing oversight over all endowment-related institutions.
- Providing guidance for sector workers.
- Directly supervising endowment management through the National Council of Endowments and the National Endowment Agency.

- **National Office for Endowments and Zakat**

The National Office for Endowments and Zakat was established as a replacement for the National Committee of Endowments, previously operating under the Ministry of Religious Affairs. This change was formalised through Executive Decree No. 21-179 on 3 May 2021, creating the Office as a public industrial and commercial entity with legal personality and financial autonomy.

The Office operates under the Ministry of Religious Affairs, with its headquarters in Algiers. Regional or provincial branches can be established by ministerial decision upon the Director General's proposal. Branches

abroad may also be established in coordination with the Ministry of Foreign Affairs, following the approval of the Board of Directors.

- **Structure and Roles of the Office**

Article 11 of Executive Decree 21-179 specifies that the Office is managed by a Board of Directors, supported by a General Manager and a religious advisory body. The Office's operation is based on three pillars:

- **Board of Directors:** The Board is headed by the Minister of Religious Affairs or their representative, alongside 21 members from various ministries and three experts in endowment and zakat management.
- **General Manager:** Appointed through a decree based on ministerial recommendation, the General Manager oversees the Office's administrative and operational activities and implements the Board's decisions.
- **Religious Advisory Body:** Provides consultative opinions ensuring the Office's activities align with Islamic law.

The Office undertakes responsibilities in both public service and commercial domains:

- Preparing programmes for the exploitation, development, and investment of endowed properties.
- Documenting and digitising national records of public endowed properties.
- Managing commercial activities such as leasing properties and promoting investment in low-risk projects.
- Restoring, maintaining, and developing endowed properties in alignment with Islamic principles and national laws.
- Promoting awareness of the importance of endowments through publications, campaigns, and events.
- Supporting scientific research and cultural heritage preservation related to endowments and zakat.

- **Directorate General of Endowments**

Established by Executive Decree 05-427 on 14 December 2005, the Directorate supervises and organises endowments. Its tasks include:

- Developing and overseeing public endowment management programmes.

- Conducting studies on the investment and enhancement of endowed properties.
- Encouraging endowment awareness and guiding related policies.
- Monitoring the activities of subordinate institutions and evaluating their performance.
- Supporting initiatives aimed at promoting endowment activities.

3.1.2 Management of Endowments at the Regional Level (Province)

The regional management of endowments in Algeria operates through decentralised structures aimed at overseeing and administering endowed properties at the provincial level. These bodies ensure the proper utilisation, preservation, and development of endowments in alignment with national policies and local needs.

- **Directorate of Religious Affairs and Endowments**

The provincial Directorate, established through Executive Decree 23-214 on 7 June 2023, aims to promote local endowment activities. Its responsibilities include:

- Encouraging endowment initiatives locally in coordination with relevant entities.
- Resolving issues related to mosques and Quranic schools in collaboration with stakeholders.
- Guiding community goodwill and endowment activities.

- **Endowment Agent**

Article 11 of Law 10-91 introduced the role of Endowment Agents, assigned at the district level. Their responsibilities, detailed in Executive Decrees 91-114 and 08-411, include:

- Monitoring and supervising the management of endowed properties.
- Proposing investment projects related to endowments and zakat.
- Documenting and maintaining records of endowed properties.
- Resolving disputes and legal issues concerning endowed properties.

- **Inspector of Endowed Properties**

This position was introduced through Article 19 of Executive Decree 08-411. Inspectors are tasked with:

- Monitoring financial and administrative management of endowed properties.
- Ensuring proper maintenance and restoration of endowed properties.
- Preparing reports and proposing measures to improve property management.

• **Custodian of Endowed Properties**

Article 33 of Law 91-10 established the role of Custodian, responsible for:

- Safeguarding and developing endowed properties.
- Ensuring compliance with the donor's conditions and protecting properties from abuse.
- Collecting revenues and ensuring their appropriate allocation.

3.2 Challenges and Governance Principles in Managing the Waqf in Algeria

The two tables highlight key criticisms and challenges faced by the endowment management system in Algeria at both the central and regional levels. These criticisms are analysed in relation to the core governance principles, including transparency, accountability, efficiency, and stakeholder empowerment. By addressing these issues, the governance framework can be improved to ensure the sustainable development and effective utilisation of endowment resources.

Table N°3: Criticisms and Governance Principles in Endowment Management in Algeria

Governance Principle	Minister of Religious Affairs (Central Endowment Management)	National Office for Endowments and Zakat	General Directorate of Endowments	Criticism
Transparency	- Establishing a supervisory system for activities related to endowments. - Ensuring oversight of actions related to endowment management.	- Safeguarding documentation of endowed properties. - Updating and digitising the national registry of endowed properties.	- Organising the preparation and documentation of endowment records. - Developing programmes to monitor	Lack of an effective oversight system to ensure transparency in endowment management.

			revenues and disputes.	
Account ability	- Ensuring appropriate measures to organise the sector. - Establishing a supervisory system.	- Monitoring rental collection and associated fees. - Addressing disputes related to endowments.	- Developing follow-up mechanisms for subordinate institutions. - Monitoring and evaluating the activities of subordinate institutions.	The Board of Directors lacks specialisation, affecting the efficiency of oversight and follow-up.
Efficiency and Effectiveness	- Enhancing the operation of centralised and decentralised structures. - Taking measures to develop and grow the endowment sector.	- Preparing programmes for the exploitation, development, and investment of endowed properties. - Investing in low-risk areas.	- Conducting studies on investing in endowed properties. - Directing investments for optimal outcomes.	/
Independence	- Representing oversight over all endowment-related institutions. - Establishing a consultative body for national endowment policy coordination.	- Financial and administrative independence. - Signing agreements with financial and economic institutions.	- Contributing to rationalising goodwill in the nation. - Proposing legislative and regulatory texts related to endowments.	/
Coordination and Cooperation	- Coordinating between local and international authorities. - Supporting collaboration among relevant parties to develop endowments.	- Supporting collaboration between local and international institutions. - Organising conferences and forums on endowments.	- Coordinating with authorities to document endowed properties. - Gathering data related to the real estate market.	Lack of a clear organisational structure ensuring effective coordination between the Office's departments.
Development and Innovation	- Developing policies for managing endowments. - Participating in establishing a consultative body to	- Establishing charitable endowment institutions. - Revitalising and developing	- Designing plans to promote goodwill. - Encouraging the revival of	/

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	develop endowment policy.	cash endowments.	cash endowments.	
Justice	- Ensuring endowment objectives align with Shariah. - Protecting and developing endowments.	- Allocating zakat funds in compliance with Shariah. - Ensuring the use of endowed properties aligns with the donor's intent.	- Establishing mechanisms to support subordinate institutions. - Monitoring investment projects related to endowments.	Weak representation of a strong religious authority in the Board of Directors to ensure full application of Islamic law in endowment management.
Governance Principle	Local Directorate of Religious Affairs and Endowments	Endowment Agent	Inspector of Endowed Properties Management	Custodian of Endowed Properties
Transparency	- Promoting endowment initiatives locally. - Assisting in resolving issues related to mosques and Quranic schools.	- Monitoring and supervising the management of endowed properties. - Documenting and identifying unregistered endowed properties.	- Monitoring revenue management of endowed properties. - Following up on benevolent loans.	- Ensuring the preservation of endowed properties. - Monitoring and safeguarding endowed properties.
Accountability	- Guiding goodwill efforts in the community. - Ensuring the inventory of documents related to mosques and Quranic schools.	- Overseeing maintenance of endowed properties. - Addressing disputes related to endowed properties.	- Inspecting and monitoring administrative and financial management of endowed properties. - Preparing performance reports and proposing improvements.	- Ensuring compliance with endowment conditions after deducting maintenance and management expenses.
Efficiency and Effectiveness	- Coordinating with relevant bodies and authorities. - Guiding goodwill	- Enhancing endowment activities and investments.	- Monitoring activities of mosque construction	- Fostering and protecting endowed properties,

	efforts in the community.	- Proposing investment projects for endowed properties.	and equipment committees. - Proposing measures to improve endowment management.	including agricultural lands.
Independence	- Operating under ministry supervision while maintaining local coordination independence.	- Operating under religious affairs supervision with defined administrative powers.	- Operating under ministry supervision with inspection and oversight powers.	- Independently managing endowed properties in compliance with Shariah and legal regulations.
Coordination and Cooperation	- Coordinating with relevant bodies and authorities. - Assisting in resolving issues related to mosques and Quranic schools.	- Coordinating with various authorities on managing endowments and zakat. - Preparing annual reports on endowment activities.	- Coordinating with institutions involved in building mosques. - Monitoring activities of oversight and advisory committees.	- Ensuring the protection and compliance of endowed properties with Shariah and donor's conditions.
Development and Innovation	- Promoting local endowment initiatives. - Guiding goodwill efforts in the community.	- Enhancing endowment activities and investments. - Proposing investment projects for endowed properties.	- Proposing measures to improve endowment management. - Monitoring activities of advisory committees.	- Promoting and protecting endowed properties, including agricultural lands.
Justice	- Ensuring the inventory of documents related to mosques and Quranic schools. - Guiding goodwill efforts in the community.	- Ensuring Shariah compliance in endowment management. - Addressing disputes related to endowed properties.	- Ensuring fair management of endowed properties. - Monitoring financial and administrative operations.	- Ensuring compliance with endowment conditions according to Shariah and legal standards.

Source: Prepared by the researcher

4. CONCLUSION

The governance of waqf in Algeria remains a crucial topic due to its significant potential to contribute to societal and economic development. However, this study has identified several detailed challenges and obstacles hindering the effective management and utilisation of waqf resources. These include:

- **Outdated Legal Framework:** The waqf legal system does not align with contemporary governance standards. This misalignment creates regulatory gaps, weakens oversight mechanisms, and reduces the efficiency of waqf management.

- **Organisational Overlap:** The multiplicity of authorities and overlapping roles leads to poor coordination and inefficient decision-making, hampering the smooth operation of waqf institutions.

- **Lack of Specialised Expertise:** There is an evident shortage of trained professionals who possess both administrative and sharia knowledge necessary for effective waqf management. This lack affects decision-making and operational efficiency.

- **Weak Waqf Investment Strategies:** Waqf assets are underutilised due to the absence of modern and innovative investment strategies. This prevents waqf institutions from generating adequate financial returns to achieve their objectives.

- **Insufficient Transparency and Accountability:** The lack of clear disclosure systems undermines public trust, facilitates mismanagement, and makes it difficult to track the utilisation of waqf resources effectively.

- **Excessive Governmental Intervention:** Overreliance on government-controlled systems introduces bureaucratic inefficiencies. This dependence can dilute the primary objectives of waqf by aligning operations with political agendas rather than community needs.

Low Societal Awareness: A significant portion of society remains unaware of the role and importance of waqf, leading to reduced contributions to waqf initiatives and limited public engagement in supporting existing waqf systems.

❖ Recommendations

To address these challenges and enhance the governance of waqf in Algeria, the following recommendations are proposed:

- **Update Legal Frameworks:** Revise and modernise waqf legislation to close regulatory gaps and align with international governance best practices while maintaining compliance with sharia principles.
- **Establish an Independent Authority:** Create an autonomous central authority dedicated to waqf governance, capable of streamlining operations, reducing organisational overlaps, and ensuring independent oversight.
- **Capacity Building:** Implement comprehensive training programmes to develop a skilled workforce equipped with both administrative and Islamic jurisprudence expertise, enabling better decision-making and management.
- **Enhance Transparency and Accountability:** Introduce robust systems for data sharing, reporting, and performance monitoring. These systems should promote openness and hold stakeholders accountable for their actions.
- **Develop Innovative Investment Strategies:** Leverage modern financial tools and methodologies to maximise the economic value of waqf assets while preserving their religious and social objectives.
- **Promote Public Awareness:** Launch awareness campaigns to educate society about the importance of waqf and its potential to drive social and economic development, thereby encouraging greater public participation.
- **Reduce Bureaucratic Inefficiencies:** Simplify administrative procedures and reduce reliance on government-controlled systems to ensure waqf operations are flexible, responsive, and community-focused.

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