

THE IMPACT OF INTEREST IN THE DEVELOPMENT OF FORESTS AND VEGETATION COVER AND COMBATING DESERTIFICATION THROUGH THE SYSTEMS OF THE KINGDOM OF SAUDI ARABIA

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Abstract

This research deals with one of the disputed evidences, which is reclamation and its relationship to the regulation of the system, vegetation cover and combating desertification in the Kingdom of Saudi Arabia. How did this guide affect the development of everything related to this regulation? In the first topic, I started by defining the "interest", its divisions, and its validity. Then I explained the term "forests" from both sides of the terminology, the definition of vegetation, the regulation of the system, vegetation cover, and combating desertification. Then, in the third topic, I touched on the materials that were affected by the evidence of the interest sent, which is the focus of the study. Then there was the conclusion and the most important results, and by God, success and payment.

Introduction

Praise be to God, we praise Him, we seek His help, we seek His guidance, and we seek refuge in God from the evils of ourselves and from the evils of our deeds. Whomever God guides is the one who is rightly guided, and whoever He leads astray, you will not find for him besides God a guardian or a helper. In addition, I bear witness that there is no god but Allah alone no partner for him. And I bear witness that Muhammad is His servant and Messenger, may God's prayers and peace be upon him and his family and companions.

The issue of the environment and the development of forests and vegetation cover is one of the important issues, and Islam has paid great attention to the environment. That is why the Holy Prophet urged us to build the land with plants and agriculture, and he said, "No Muslim plants a tree, or sows crops, then a bird, a person, or an animal eats from it, but it is a sacrifice for him".

From this standpoint, the Kingdom of Saudi Arabia set out to develop legislation that promotes what achieves the interest of the citizen in order to reconstruct the land by developing forests and vegetation cover and combating desertification. The Kingdom has enacted an executive regulation

to take care of development components. Among these regulations is the regulation for developing forests and vegetation cover and combating desertification, which is based on the environmental system, which was issued in 1441 AH. Moreover, since this blessed state derives its systems from its constitution, which is the Islamic Sharia. It built its systems from the total rules of Islamic law, aided in editing and drafting its statutory articles.

In addition, to shed light on the impact of the principles of jurisprudence in promoting interest in developing forests and vegetation cover and combating desertification. Moreover, the care of the Saudi regulator on the use of these rules in the statement of legislation and to show the relationship between Sharia and the enactment of regulations, I liked to write in this scientific paper a topic entitled. The impact of interest in the development of forests and vegetation cover and combating desertification through the systems of the Kingdom of Saudi Arabia.

The importance of the subject, and the reasons for its selection

In addition to the above, the importance of the topic and the reasons for its selection are shown below:

- Highlighting the aspect of Islamic legislation in the development of forests and vegetation cover and the promotion of their conservation.
- Highlighting the efforts of the Kingdom of Saudi Arabia in enacting regulations that preserve the development of forests and combat desertification.
- A statement of the efforts of the Kingdom of Saudi Arabia to link the systems through its constitution to the fundamentalist rules.
- Highlighting the relationship between the science of jurisprudence and regulations.

Previous studies

Scientific studies have varied on the subject of forests or the environment and its components, in academic and other research. This research is distinguished from others by linking one of the legal evidences affecting the list of forest development and vegetation cover and combating desertification in the Kingdom of Saudi Arabia.

Research Methodology

The research relies on the inductive method and the analytical method. The induction approach will be for the entire system, and the analytical approach will be analyzing the articles of the list and linking them to the evidence. The plan will be as follows:

Research Plan: The research consists of an introduction and three topics.

Introduction: It is this, and it includes the importance of the topic, the reasons for its selection, its objectives, the research problem and its limits, previous studies, the research methodology and plan, and a conclusion.

The first topic: in explaining the “interest” and its divisions and its validity, and there are two demands:

- The first requirement: the definition of "interest" from the point of view of the language and idiomatic.

- The second requirement: the sections of the interest and the dispute over it.

The second topic: the definition of “forests”, “vegetation cover”, “desertification and its causes” and “the regulation governing it”:

- The first requirement: the definition of "forests".
- The second requirement: the definition of "vegetation cover".
- The third requirement: definition of "desertification" and its causes.
- The fourth requirement: definition of the regulation for the development of vegetation cover and combating desertification.

The third topic: the legal applications based on the issue of "interest" through the executive regulations on forests, vegetation cover and combating desertification.

Conclusion: It included the most important findings and recommendations.

The first topic: in explaining the "interest" and its validity

The first requirement: the definition of "interest" from the point of view of the language and idiomatic

As for the definition of interest in language, it is one of interests. It indicates the opposite of corruption; it is said: The good thing is the good. It comes with the meaning of: good and right, it is said: “and in the matter there is interest,” meaning: good and it comes with the meaning of conciliation. It is said: “You have reconciled among the people,” that is: you have succeeded, and it comes in the sense of benefit. It is said: “Be good in his work,” that is: he did what is good and useful (1).

As for the definition of interest in terminology, there are many definitions of scholars, including:

Definition of Al-Ghazali: By interest: preserving the intent of the Sharia (2).

Moreover, Al-Amidi defined it by saying: The intent of the law of judgment is either to bring interest, or to ward off harm, or to combine the two matters. And if it is known that the intent of the law of judgment is to achieve interest or ward off harm, then is either in this world or in the Hereafter (3).

In addition, Al-Shatibi defined it by saying: What is understood of his care for the right of creation in terms of bringing interests, and warding off corruption in a way that the mind cannot be independent in understanding the situation (4).

Abdullah Al-Turki defined it is the description that is in the order of judgment bringing benefit to people. Alternatively, warding off corruption from them (5).

There are four interests: pleasures and their causes, joys and their causes, and harms are of four types: pains and their causes, grief and their causes (6).

It expresses interests and harms with good and bad, benefit and harm, good deeds and bad deeds. Because all interests are good, beneficial, good deeds, and all evils are evil, harmful, and bad. Has prevailed in the Qur'an the use of good deeds in the interests, and bad in the corruption (7).

The second requirement: the sections of the interest and the dispute over it

Interest is divided into three types in terms of whether or not it is legally considered:

- The first type: the considered interest, i.e.: what is known to be considered by the Sharia, and it is every interest that the ruling leading to it has been proven by evidence from the text, or consensus. The fundamentalists expressed it with the considered interest, or the considered appropriate. This type may be based judgments on, and justification by unanimous those who say the authoritative analogy (8).
- The second type: canceled interests: which is every interest that the Lawgiver knew not to consider and testified to its invalidity and cancellation because of the realization of harm. Even if a person imagines that there is an interest in it, whether its harm is clear, or it leads to subsequent harm, or it is not aware of its harm except by looking and thinking (9).
- The third type: the mursal interests: which are the interests that the Lawgiver was silent about, and it was not attested to be taken into account or canceled by a specific text. There is no evidence of permission to collect them and build judgments on them. There is no evidence to indicate that it is not collected and that judgments are not based on it. Rather, he left it to those in authority among the mujtahids, who would take it if its condition required taking, and leave it if it resulted in corruption (10). This type is a matter of dispute among scholars.

The scholars differed over two sayings:

- The first saying: It is an argument to him. The majority of the Hanafis went (11), and were attributed to Imam Malik (12), and some Shafi'is (13).
- The second saying: It is not an argument. Moreover, to him went most of the fundamentalists (14).

The second topic: the definition of "forests", "vegetation cover" and desertification and its causes, and the regulations governing it:

The first requirement: the definition of "forests".

Forests in the linguistic plural of forest, thicket of reeds, or bushes with dense trees. Because it misses what is in it, and it was said: It is the spears when they meet. In addition, it came in the hadeeth "Tarafa al-Ghaba" (15). It is a place north of Medina, which is a grove with many trees, nine miles from Medina. From her dependents, and she has money for her family (16).

As for the definition of forests in the term: a plant aggregation consisting of a variety, or several varieties of trees, shrubs, or herbaceous plants in a pure or mixed state, with a tree density of not less than 10%. Whether this assembly is natural or cultivated (17). A vegetation consisting of one or several types of trees, shrubs, or herbaceous plants in a pure or mixed state, with a tree density of not less than (10%) of the site area. Whether this aggregation is natural or cultivated (18). There is another definition: lands in which natural trees or shrubs grow. On the other hand, the state afforestation in order to protect the soil and watersheds and preserve the environment and owned by the state, and includes rural forests (19).

The second requirement: the definition of "vegetation cover"

Vegetation: It is the natural plants, whether they are herbs, shrubs, or trees. As for the vegetation lands: all lands owned by the state that contain wild plants and the like. They include pastures, forests, national, wild and geological parks, wet areas, plain areas, sandy areas (dunes), mountainous areas, valleys, coastal areas, and islands (20).

The third requirement: definition of "desertification" and its causes

Desertification is derived from desert, the desert is from flat land in softness and coarseness without standing, and it was said: it is the vast space; and his master's son added: There is no plant in it (21). As for the definition of desertification idiomatically: it is a negative change in the characteristics of the vital environment that leads to the creation of conditions that make it closer to desert conditions or drier. There is another definition: the intensification or deepening of dry conditions through the occurrence of a deterioration in the biological energy of the environment, which reduces its ability to support land uses, agriculture, grazing and forests naturally (22).

The causes of desertification are of two types:

- First: Human causes: Among the human factors that lead to the creation of the problem of desertification, they can be summed up in the rapid increase in population, overgrazing, poor agricultural use of land, cutting down trees, destroying forests, and burning.
- The second: natural causes: natural factors, especially climatic ones, have become in turn supportive of the process of desertification, including climatic conditions, sand encroachment (23).

The fourth requirement: definition of the regulation for the development of vegetation cover and combating desertification

The Environment Law was issued in 1441 AH and contained a set of materials related to the development of vegetation cover and combating desertification. Subsequently, an executive regulation was issued in this regard. A national center has been established to develop vegetation and combat desertification. The center enumerates and classifies vegetation and desertified lands. It undertakes the development and protection of vegetation lands and their living and non-living contents, and works to improve them in quantity and quality. It works to rehabilitate desertified sites and lands of degraded vegetation, and works to establish forests, pastoral reserves, and national, wild and geological parks, and to invest in and sustainably manage them in accordance with the approved regular procedures.

The center establishes and manages nurseries, nurseries, seed banks and seed propagation centers for wild and coastal plants, halophytes and mangroves.

It also regulates activities related to local plant genetic resources and their vegetative or reproductive parts. And the organization of grazing in vegetation lands in accordance with the National Strategy for Natural Pastures for the year 1440 AH, issued by Cabinet Resolution No. (73) Dated: 01/29/1440 AH.

It also regulates the establishment of apiaries in vegetation lands, and investment in areas related to its competence in vegetation lands. The center also sets the controls and requirements for the wild camps, and issues the necessary permits for them in coordination with the relevant

authorities. Implementing national commitments stipulated in international and regional agreements related to vegetation cover and combating desertification ratified by the Kingdom, and other tasks. The scope of application of this regulation shall be to all persons and to all lands of vegetation cover, including degraded lands and coasts within the territory of the Kingdom of Saudi Arabia, which fall within the jurisdiction of the Center (24).

The third topic: the legal applications based on the issue of "interest" through the executive regulations on forests, vegetation cover and combating desertification.

The executive regulations included forests, vegetation cover and combating desertification. In addition, after reviewing these materials, I stood on a group of them that were affected by the rule of interest sent, which are as follows:

Article Three: Scope of the Center's work on developing vegetation cover and combating desertification.

Article 3 of the aforementioned regulation stipulated, through the aforementioned paragraphs, that the National Center for Vegetation Cover Development and Combating Desertification be in charge of setting controls and regulations for the exploitation of water resources and vegetation lands. Moreover, the implementation of health studies. With the aim of developing vegetation cover, combating desertification, and sustaining and preserving the vitality of the plant environment. In addition, all of these are considered interests and legitimate benefits, which can be included within the contents of the rule of interest sent.

Article 5: combating desertification and preserving vegetation lands, developing and managing them in a sustainable manner

Article 5 stipulates, through the aforementioned paragraphs and points, that the center undertakes the tasks and procedures related to preserving vegetation lands and combating desertification. Including responding appropriately to protect the vegetation cover from impacts associated with human activities and natural phenomena. The purpose of this is to take into account the public interest represented in the development of the vegetation cover and warding off the negative effects of desertification.

Article Six: Forestry Regulations

Article six states, according to the aforementioned paragraphs, that the National Center undertakes the task of preparing and implementing plans for forests and reserves, managing and developing them. With the aim of preserving the vegetation cover environment and its sustainability, and these goals and objectives are considered, and fall under the meaning of the rule of interest sent.

Article Seven: Controls for Pastures

Article seven, according to its paragraph and element mentioned above, gave the National Center the task of developing a plan to organize grazing within the drawn up strategic national plan. It also defines the sites and times for grazing with the controls and requirements. All of this is in consideration of the public interest of preserving the ecosystem and vegetation. Such

authorization and disposal is worthy of consideration because it is based on the contents of the sent interest rule.

The previous article also authorized - according to its two mentioned paragraphs - the National Center with the authority to suggest suitable vegetation lands as national, wild or geological parks. In addition, the necessary design, operation and supervision, taking into account the economic, environmental and social interests and benefits. The creation of such arrangements derives its legitimacy from the point of view of the rule: the sent interest.

Article 9: Investment in vegetation development activities

Article 9 stipulates that the National Center undertake the task of inventorying, defining and organizing vegetation development activities that are suitable for investment within the territory of that zone. This authorization revolves around caring for the public interest in developing the vegetation cover and preserving the nature of the ecosystem, and it is a significant act based on the contents of the sent interest rule.

Article Ten: Licenses and permits related to vegetation lands

Article 10 enumerated the general, technical and procedural controls for licenses and permits related to vegetation lands in their various shapes and forms. Moreover, those requirements and controls are based on considering the public interest and the benefit of preserving and developing the vegetation cover, and there is no evidence authorizing the determination of those controls and licenses - considering or canceling - except what can fall within the taking of the absolute interest that has no text. Rather, it revolves around taking into account the preponderant benefit, whether it is actual or expected, general or specific, and this is indicated by the contents of the *maslahah al-mursalah* rule.

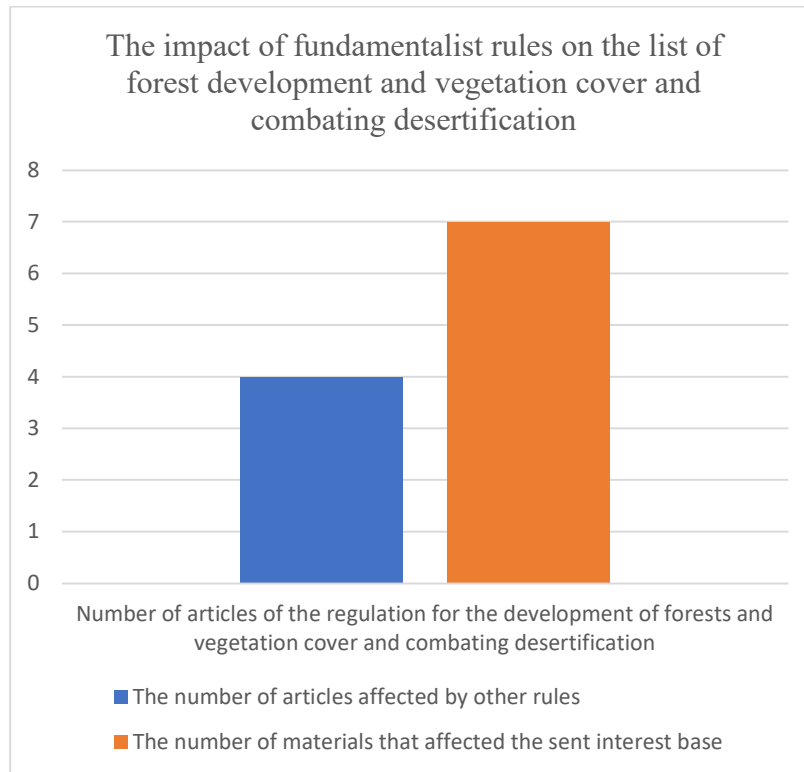
Article 10 stipulates in the second paragraph that the National Center shall undertake the task of providing the necessary documents for licenses for cultivation or afforestation, and permits for land reclamation and settlement. As well as requesting any other support in the same regard, and this type of procedure related to licenses and permits does not attest - on its legality - special evidence for consideration or cancellation. Rather, it is due to the pure consideration of public interests that take into account the interest of regulating the vegetation cover and preserving the ecosystem. This is what the significance of the sent interest rule revolves around.

Article Eleven: Detecting violations and imposing penalties

In Article Eleven in the first appendix, it includes an application form for the copy of licenses and permits related to vegetation activities. And the approval of these models or their development in those formulas contained there is no justification - starting with - in terms of consideration or cancellation. Rather, it revolves around observing the absolute public interest that accrues to the growth and sustainability of the vegetation cover, and it is if this is taken into account. It is justified to be included within the contents of the rule sent interest.

In the second appendix, it contains a working example of a document related to vegetation activities. In addition, its proof of that image in terms of the nature of the wording and the type of information and requirements is not based on special evidence that considers it or cancels it in terms of the original. Rather, it is revolving according to what is dictated by the public interest,

which prevailed in view of the time, place, and the foreseeable reality with regard to caring for the vegetation cover. Like you, these considerations and contents are attested to by the meaning of the rule of interest sent.



Conclusion

This research shows the following:

- 1- The need to take care of the development of forests and vegetation cover, combat desertification, and take into account the human interest in sustaining them in a legal and systematic manner.
- 2- The care of the Kingdom of Saudi Arabia's systems in preserving, developing forests and vegetation cover, combating desertification, and their pursuits from everything that leads to harm to them.
- 3- The connection of the science of jurisprudence with the systems of the Kingdom of Saudi Arabia in terms of their enactment, and the interpretation of their regulations and texts.
- 4- The effect of the interest evidence on the consignment on the following materials:
 - Article Three: Scope of the Center's work on developing vegetation cover and combating desertification.
 - Article 5: combating desertification and preserving vegetation cover lands, developing and managing them in a sustainable way.
 - Article Six: Forestry Regulations.
 - Article Seven: Controls for pastures.

- Article 9: Investment in vegetation development activities.
- Article Ten: Licenses and permits related to vegetation lands.
- Article Eleven: Detecting violations and imposing penalties.

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Footnotes

1. See the article (PBUH): Mukhtar Al-Sihah, by Al-Razi (p. 178), Lisan Al-Arab, by Ibn Manzoor (2/516), Al-Misbah Al-Munir, by Al-Fayoumi (1/345).
2. See: Al-Mustafa, by Al-Ghazali (2/400).
3. See: Al-Ihkam, by Al-Amdi (3/271).
4. See: Al-I'tisam, by Al-Shatibi (2/609).
5. See: The Origins of Imam Ahmed's Doctrine (p. 459).
6. See: Qawa'id Al-Ahkam, by Al-Ezz bin Abdul Salam (1/11).
7. See: the previous source (1/5).
8. See: Tashnif Al-Masaa' (3/12), and Al-Madkhal by Ibn Badran (p. 147).
9. See: Tashneef Al-Masaa' (3/17), and Al-Madkhal by Ibn Badran (p. 147).
10. See: Tashneef Al-Masaa' (3/17 and beyond), and Al-Madkhal by Ibn Badran (p. 147).
11. See: Muslim Al-Tabath, by Al-Bahari (2/215).
12. See: Explanation of the revision of the chapters, by Al-Qarafi (pg. 446).
13. See: Al-Burhan (2/163), Conclusive Evidence, by Al-Samani (4/496).
14. See: Al-I'tisam, by Al-Shatibi (2/610), Al-Bahr Al-Muheet, by Al-Zarkashi (6/76), Sharh Al-Kawkab Al-Munir, by Al-Futuhi (4/169), Muslim Al-Tabath, by Al-Bahari (2/215) and beyond.
15. Narrated by Al-Bukhari No.: (315), and Muslim No.: (1000) in their Sahih in making the pulpit of the Messenger of God: that men came to Sahl bin Saad Al-Saadi. And they were content with the pulpit of his habit, so they asked him about that, and he said: By God, I know what it is, and I saw it the first day it was laid, and the first day the Messenger of God sat on it. The Messenger of God sent to So-and-so - a woman from the Ansar whom he had named Sahl - "Tell your carpenter's servant to make sticks for me, so that I may sit on them when I speak to the people." Then he brought it, and it was sent to the Messenger of God. So he ordered it to be placed here, then I saw the Messenger of God praying over

it and saying “Allah is Greater” while he was on it. Then he bowed while he was on it, then he descended backwards, prostrated at the base of the pulpit, then returned, and when he finished, he turned to the people and said: “O people, I have only made this so that you may follow your prayers and learn my prayer.”

16. See: Narrated by Al-Bukhari (1/70), Sahih Muslim (2/694).
17. See article (GBB): Mukhtar Al-Sahih, by Al-Razi (p. 231), Lisan Al-Arab, by Ibn Manzoor (1/656) and beyond, Al-Misbah Al-Munir, by Al-Fayoumi (2/457).
18. See: Rangeland and Forest System: <https://2u.pw/0xSMHS>
19. See: Environmental System: <https://2u.pw/6FI5iN>
20. See: Pasture and Forest System: <https://2u.pw/0xSMHS>
21. See: Environmental System: <https://2u.pw/6FI5iN>
22. See article (GBB): Mukhtar Al-Sahih, by Al-Razi (p. 173), Lisan Al-Arab, by Ibn Manzoor (4/443) and beyond, Al-Misbah Al-Munir, by Al-Fayoumi (1/333).
23. See: Desertification is understood, its causes are risks to combat it, by Al-Hiti (p. 13).
24. See: Desertification is understood, its causes, risks of combating it, for Al-Hiti (pg. 39) and beyond.

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