

## Issue of Scarce Water Resources in the Najran Region: Reasons and Solutions from the Perspective of Islamic Jurisprudence and Laws within the Framework of Saudi Arabia's Vision 2030

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**Cite this paper as:** Dr. Khaled Fouad El-Sayed Abu El-Ala, Dr. Muhammad Ali Abu Hindi Al-Sayed, (2025) Issue of Scarce Water Resources in the Najran Region: Reasons and Solutions from the Perspective of Islamic Jurisprudence and Laws within the Framework of Saudi Arabia's Vision 2030. *Journal of Neonatal Surgery*, 14 (16s), 897-905.

### ABSTRACT

The residents of the Najran region face the problem of water scarcity due to the depletion of many underground wells, insufficient rainfall, and exacerbation caused by the mismanagement of water resources and outlets, as well as significant wastage during use. This includes traditional agricultural methods and the underutilisation of rainfall and floodwaters. This research examines the causes of the problem and proposes suitable solutions, framed within an environmental, jurisprudential, and legal study that aligns with Saudi Arabia's ambitious Vision 2030. This vision aims to strengthen the country's economy and provide essential life resources in its cities, including clean, fresh water.

The primary objectives of this research are:

1. Providing Islamic legal answers to questions related to water scarcity in the Najran region.
2. Identifying a set of proposed solutions.
3. Demonstrating the ability of Islamic jurisprudence to address and resolve emerging challenges in people's daily lives.

The research concludes with several scientific findings detailed at the end of the study.

It also presents a number of important recommendations, which are outlined at the end of the research and are closely related to its subject matter.

**Keywords:** *water scarcity, resources, exploitation, solutions.*

### 1. INTRODUCTION

All praise shall exclusively be due to Allah alone, and may Allah's prayers and peace be upon the one after whom there is no prophet.

To begin with:

Water is among the greatest blessings bestowed by Allah upon all His creations, including humankind, jinn, and animals of all kinds. The Holy Qur'an has immortalised this noble blessing through Allah's words: *And We have made from water every living thing. Will they not then believe?* [Al-Anbiya': 30]. Given that water is an essential component of life, proper gratitude towards the Provider requires its conservation and avoidance of waste and extravagance. Such gratitude ensures the continuity of blessings. Islamic Shariah has provided valuable contributions towards regulating water use in ways that help preserve it. Nevertheless, the issue of water depletion and drought remains prevalent in several countries, especially those with desert climates.

### Research Problems and Questions:

This research seeks to answer a fundamental question: What is meant by water resource scarcity? From this fundamental question, several sub-questions emerge, closely related to identifying various legal rulings and controls relevant to this issue.

### Reasons for Selecting the Research Topic:

The reasons for selecting this research topic can be summarised into two main points:

Firstly: Monitoring several causes and solutions concerning water scarcity and depletion of its resources in the Najran region, as it constitutes a genuine problem.

Secondly: The existence of queries concerning the Shariah perspective regarding drought and severe shortages of water resources.

## 2. RESEARCH OBJECTIVES

It may be stated that the primary objectives pursued by this research are represented as follows:

1. Serving the research directions of Najran University in the field of real and contemporary issues that benefit society, especially in the Najran region.
2. Contributing through this research to the dissemination of rulings and regulations concerning water and the controls on its use, with a view to mitigating the severity of drought and the depletion of groundwater wells.
3. Compiling the dispersed issues of this research in a single location.
4. Demonstrating the capability of Shariah to address people's problems in light of its original legal principles.

## 3. LITERATURE REVIEW

Following meticulous research and investigation by the researchers, and within the limits of their sources, they found some fragments of articles related to the subject and scattered statements that do not rise to the level of this research, which is specific to clarifying the nature of water resource scarcity, and identifying a set of Shariah rulings, regulations, and proper etiquettes in dealing with water and its resources.

### Research Methodology:

The nature of this research necessitated the adoption of an inductive and analytical methodology based on uncovering the relevant controls, rulings, and justifications concerning water and the scarcity of its resources, and identifying several related rulings.

### Research Structure and Procedures:

The research consists of an introductory section and five topics, followed by a conclusion, recommendations, and an index of sources and references, as follows:

Introduction: This includes a summary of the research concept, an explanation of its significance, problems and questions, reasons for selection, objectives, the Literature Review, the methodology, and the research structure.

### Topic One: The meaning of water scarcity in linguistic and terminological terms

Researchers have identified numerous expressions in the lexicons of the Arabic language that relate to water and its scarcity, as well as the drying up of its sources. These include the following: "Naḍaba al-mā' naḍūban" refers to water receding into the ground [26]. Terms such as "al-Haymā'", "al-Fayf," and "al-Musahhaba" denote lands or deserts devoid of water [19][14]. "Ḥabaḍa mā' al-ruqīyah" (the well water) means that it has diminished and decreased. "Al-Iḥbād" occurs when a man overuses his well, leaving no water. "Al-Iḥbāt" refers to water disappearing and not returning as it was [13]. "Akhwat al-samā'" describes the sky when it does not rain [14]. "Arḍ mazlūmah" also refers to land that does not receive rainfall [13]. "Ḥaqibat al-samā' ḥiqban" refers to the sky withholding rain. "Ḥaqiba al-matar ḥiqban" when the rain is withheld. [24]. 'Arḍ **halakūn** refers to land which has not been rained upon for an age. [9] **Al-Musayt** and **al-dughayt** refer to a well which is adjacent to another, one of which becomes buried and its water turns foul, so it flows into the fresh well and corrupts its water, rendering it undrinkable. [27] And the people are said to have **anzafū** when the water of their well is depleted. [25] **Al-khaṭṭa** refers to land which has not been rained upon, situated between two lands that have received rain. [7] **Al-zibrij** refers to a thin cloud that contains no water. [13] **Al-ṣarmā'** refers to land without water. [20] **Al-dhubābah** refers to the remainder of water in rivers. [24] A river is said to have been cut off when it dries up or becomes blocked. [28] And digging the ground until water is reached and appears after being concealed. [29].

We can deduce from the foregoing a number of matters, including the following:

1. The Arabs and linguistic scholars recognised the phenomenon of water scarcity and depletion, which is an alarming, distressing, and desolate matter. They employed rare and austere terms to express the desolation of this phenomenon and its

severity, particularly upon those accustomed to travelling between lands in search of water for their livestock, as was the case with the Bedouin Arabs.

2. Water resources that have dried up or diminished include rainwater that falls to the earth through clouds, groundwater that has receded into the depths of the earth and become difficult to access, and likewise rivers and valleys whose waters have either dried up or fallen below their customary levels.

3. The Arabs' awareness of the value and importance of water in life is evident through their efforts to excavate the earth in order to extract it from its depths, which is evidence of their search for water resources during times of drought.

If the foregoing is established, it may be stated, by way of terminological definition in our view, that water resource scarcity is the alteration of water sources from their natural state, either entirely, whereby there remains no trace of water at all, or relatively, whereby it is diminished from its usual level, or altered from its original pure state through the introduction of foreign elements that pollute its natural essence.

### **Topic Two: Causes of water resource scarcity in the region of Najrān**

The region of Najrān is one of those facing challenges in the domain of water, where a scarcity of water resources has been observed due to several factors. The Kingdom of Saudi Arabia, through its ambitious Vision 2030, is striving to address these challenges through innovative strategies and effective practical solutions.

Despite the fact that 99.84% of Saudi citizens have access to potable water, the Kingdom of Saudi Arabia has been classified as one of the most water-scarce countries in the world [10].

Several specialists in the field of water and environmental studies have recorded a number of causes for the depletion of water in Najrān, among the most significant of which are as follows:

#### **1. Reliance on traditional wells:**

Many districts of Najrān depend upon artesian wells to meet their water needs, which may result in the exhaustion of underground resources. While this may serve the interests of individuals, families, or districts, it simultaneously harms broader and more comprehensive interests, and it is established among the jurists that "public interest takes precedence over private interest" [31].

#### **2. Failure to rationalise consumption:**

Officials have indicated that the failure of some residents to adhere to water conservation practices exacerbates the issue of its scarcity and rarity. Conservation methods are widely disseminated through various media, such as television, radio, the internet, and pamphlets distributed by the Ministry of Water, all of which are capable of instilling genuine awareness regarding the importance of water conservation. An example of such initiatives is what has been published by the Bureau of Experts at the Council of Ministers regarding the regulations of the National Centre for Water Efficiency and Conservation, which includes exemplary regulations and high-level standards that, if implemented, would contribute towards alleviating the problem of water scarcity in Najrān and other regions [12].

It is established in the jurisprudence of Islamic public policy that the populace must engage with the directives of the ruler and the competent authorities where such directives serve the public good of the state, both for individuals, families, and communities. Such responsiveness is part of fulfilling the rights of the rulers concerning obedience and compliance. In the Hadith: "Give them their due rights, for indeed Allah shall question them regarding what He has entrusted to their care" [16].

Ibn Hubayrah said: "It is incumbent upon the people to obey them and fulfil their rights, and part of their right is obedience in private and in public" [5].

#### **3. Wastefulness in Commercial Usage:**

Certain private commercial activities, such as car wash stations that utilise underground water arbitrarily and without incurring financial costs, contribute to increased consumption that adversely affects underground water reserves. The fundamental principle regarding such activities is that they must obtain official licences to regulate the consumption process, and judicial authorities have enacted financial discretionary penalties for such violations that deplete underground water. Imposition of financial penalties is a method endorsed by leading jurists where the judge perceives an overriding public interest [23]. Indeed, many people are deterred from engaging in harmful conduct if penalised financially, as wealth is precious and difficult to part with, whereas refraining from harmful acts becomes easier under such circumstances.

### **Topic Three: Proposed solutions to overcome the scarcity of water resources in the Najrān Region in accordance with Vision 2030**

Specialised authorities have proposed, following field studies, a series of solutions aimed at mitigating the scarcity of water resources in the Najrān Region, including the following:

#### **1. Implementation of new water projects:**

Seven water and environmental projects have been launched in Najrān at a cost exceeding 306 million riyals, with the aim of improving water infrastructure and sanitation services, benefiting more than 63,000 beneficiaries.

## **2. Establishment of purification stations on dams:**

The Ministry of Agriculture and Water is considering the establishment of drinking water purification stations on certain dams in the northern governorates of Najrān, with the objective of enhancing available water sources.

## **3. Enhancing awareness of consumption rationalisation:**

Vision 2030 includes awareness programmes aimed at promoting a culture of water consumption rationalisation among citizens and residents, to ensure the sustainable use of water resources.

Here, it is to be noted that the Kingdom has adopted modern technologies to rationalise water consumption and ensure its sustainability, such as smart meters which are used to measure water consumption with high accuracy, thereby assisting in the detection of leaks and reduction of wastage. These meters also provide consumers with real-time information about their usage, thereby encouraging rational consumption. Likewise, smart irrigation systems in the agricultural sector rely on data from soil moisture sensors and climatic data to determine optimal times and quantities for irrigation, thus reducing water consumption and improving irrigation efficiency.

Similarly, the Continuous Pumping Initiative in the Najrān Region, where the National Water Company implemented the continuous pumping initiative twenty-four hours a day, seven days a week, in Al-Wadi'ah Centre in the Sharurah Governorate, aims to improve the efficiency of water distribution and meet the needs of the population. This initiative serves more than 8,000 beneficiaries and contributes to enhancing the utilisation of available water resources.

Likewise, the use of artificial intelligence technologies in the management of water networks assists in monitoring water quality, forecasting consumption patterns, and the early detection of potential issues within the networks.

As for seawater desalination using advanced technologies, the Kingdom has invested in the development of water desalination plants employing advanced techniques that reduce energy consumption and limit environmental impacts, thereby providing a sustainable source of fresh water [2].

And likewise, wastewater is treated for utilisation in irrigation works for gardens and farms; wherein the General Directorate of Water in the Najrān Region announced the commencement of operations at the wastewater treatment plant located in 'Arqān, which is considered the largest of its kind in the Kingdom of Saudi Arabia. This plant operates using the biological treatment system through membrane bioreactors (MBR), with a design capacity of 60,000 cubic metres per day of high-quality treated water, rendering it suitable for use in the irrigation of crops and green areas without restrictions, in addition to other industrial uses.

## **Topic Four: Legal Rulings and Observed Etiquettes regarding Water Resources**

The researchers have identified a number of legal rulings which provide significant enlightenment for minds and deep admonition for souls in order to invest in water and preserve its natural resources; amongst which are the following:

### **First Ruling: The prohibition of extravagance in the use of water for the act of purification**

For indeed, if one in a state of major ritual impurity (janābah) desires to lift such impurity, he uses of the water that which suffices him and accomplishes the purpose of removing foul odours, sweat, and other residues. Likewise is the case in performing istinjā' (ritual cleansing after relieving oneself) and ablution (wuḍū'), wherein a specific quantity of water is used without exaggeration, such that the trace of impurity is removed, and the person performing ablution becomes purified.

Allah Almighty has said: Indeed, the spendthrifts are brothers of the devils [Al-Isrā': 27].

And the person who purifies himself and opens the water tap excessively, allowing the water to flow into the drainage wastefully, having used only a mist of it, is deemed extravagant and resembles the devils in their conduct, for he has committed excess in the use of water, "and extravagance is the transgression beyond the limit of moderation" [3].

And it has been authentically established from the Prophet [SAW] that "he would perform the ritual bath (ghusl) with a ṣā' up to five mudd, and he would perform ablution (wuḍū') with a mudd" [16][17]

And the ṣā' is equivalent to four mudd, and the mudd is approximately half of the known litre [18].

Al-Shawkānī said: "The ḥadīth indicates the disapproval of extravagance in the use of water for bathing and ablution, and it indicates the recommendation of economy. The scholars have unanimously agreed upon the prohibition of extravagance in the use of water even if it be at the bank of a river" [33].

### **Second Ruling: The recommendation of using vessels in purification**

Because the water is confined within them, and the one purifying himself takes with his right hand from it what he needs for his purification, and this reduces the waste of water. However, opening taps and allowing water to flow abundantly is contrary

to the Sunnah, and it is recklessness, lack of sense, and failure to appreciate the value of water. The legal criterion for the permissibility of using such vessels for retaining water is that they must not be made from gold or silver. Ibn Qudāmah narrated consensus on this matter where he said: "There is no disagreement among our companions that the use of vessels made from gold and silver is prohibited, and this is the view of Abū Ḥanīfah, Mālik, and Al-Shāfi'ī, and I know of no dissent in this matter" [30][15][4][8].

Confining water in vessels and taking from it for purification is a means to preserve it, and it is akin to every method that achieves such preservation and eliminates extravagance in usage, such as laser-operated water taps that discharge water upon sensing the human hand, and when the hand is removed, the water stops automatically. This is a modern technology that became widespread in airports and then in mosques, houses, and institutions.

### **Third Ruling: The prohibition of means leading to the destruction of water dams**

Because these waters have had giant dams constructed for them in order to retain them between mountains and massive concrete walls, and from these dams nations of people drink, and agricultural lands are irrigated therewith. In their destruction or poisoning lies great corruption, in that people perish by the torrential waves resulting from the collapse of the dams, and the spread of silt and mud which cause the loss of lives, and the corruption of agricultural produce due to inundation and saturation of the lands. It may occur that some evildoers deliberately poison the dams in order to kill people or ruin their health, and this necessitates the most severe punishment, which may reach the level of ḥirābah (armed robbery with corruption on earth), considering that those causing these disasters are spreading corruption in the land.

The intended meaning is that striving to destroy dams results in the obliteration of one of the greatest water resources upon which humans and animals depend for survival and whereby lands are sustained. Due to the sensitivity of these dams, some states fabricate continual threats against their neighbours to strike and destroy them in order to achieve political ends [1].

And this destructive corruption is not confined to dams alone, but rather encompasses every water source, such as wells and springheads. The Arabs had knowledge of such acts of sabotage, for Shamir the linguist mentioned that it is said: "I blinded the water springs if I buried them and sealed them, and I blinded the well (i.e., the waterhole) if I filled it with soil until its springs were blocked. And a barren desert is called 'blind' ('awrā'): without water. And one who blinds the spring of the well: he has corrupted it until the water dried up." [9]

This is an early Arabic identification of the problem of obstructing the flow of water resources; whoever blocks them by any means has afflicted them with blindness, for their natural state is that of a flowing spring, and the spring thus fails to produce water just as the blind eye is unable to render proper vision.

### **Fourth Ruling: The desirability of people going out to seek rain (istisqā') during drought and when the sky is withheld from rain**

It often occurs that Allah Almighty, in His wisdom, withholds rain from the people, resulting in drought. The need of people and animals for drinking, and of lands for irrigation, becomes immense, and the problem worsens if there are no water dams to suffice during the drought. Indeed, at times the level of dams drops due to scarce rainfall, to the extent that the muddy lower layer is exposed, signalling impending danger. For this reason, the Prayer of Seeking Rain (Ṣalāt al-Istisqā') has been legislated. In the Arabic language, istisqā' means to request water from Allah or from people; when someone is in need of water and requests it from another, such a request is termed: istisqā'.

As for its meaning in Islamic law, it is the act of seeking water from Allah Almighty for His servants when they are in need of water, such as when they reside in a place without valleys, rivers, or wells from which they may drink or irrigate their crops and water their livestock, or when they possess such sources but the water therein is insufficient for them. [22]

Ibn al-Qaṭṭān al-Fāsī said: "The prayer of seeking rain (istisqā') according to all the jurists is a recommended act, consisting of two rak'āt, in which the recitation is to be audible... and the sermon, according to the majority of jurists, is to be delivered after the prayer. I am not aware of any disagreement that the Imam turns his cloak whilst standing, and the people turn theirs whilst seated." [6]

Indeed, the act of people going out into the desert, raising their voices to Allah, and earnestly, sincerely, and humbly requesting Him to send down upon them rainwater is a clear manifestation of worship, whereby the worshippers turn to their Lord, knowing that He alone has the power to change their state from destructive drought to life-saving, blessed rain. This also indicates that rainwater is among the greatest of water resources, the regulation of which is solely under the control of Allah, Glorified and Exalted be He. Allah has conferred His favour upon His servants in more than one verse in His Book regarding this tremendous blessing which necessitates gratitude and praise. Allah the Most High said: Do you then see the water which you drink? Is it you who bring it down from the rain-clouds, or are We the Ones who bring it down? If We so willed, We could make it bitter; why then do you not give thanks? [Al-Wāqī'ah: 68–70].

And He said: And We sent down from the sky blessed water, wherewith We caused to grow gardens and grain of harvest, and lofty palm-trees with spathes closely set, as a provision for (Our) servants, and We gave life thereby to a dead land; thus will be the Resurrection. [Sūrah Qāf: 9–11].



And He said: Say: Tell me! If your water were to sink deep into the earth, who then can bring you flowing water? [Sūrah al-Mulk: 30].

Ibn Kathīr said: “That is, (it goes) down into the earth to its lowest depths, such that it cannot be reached with sharp axes nor with strong arms. And ‘ghā’ir’ (sunk) is the opposite of ‘nābi’ (flowing); thus He said: who then can bring you flowing water? Meaning: springing, running upon the surface of the earth. No one has the power to do this except Allah, Glorious and Exalted be He. So out of His bounty and generosity, He has caused water to spring forth for you and made it flow throughout the regions of the earth according to what His servants require of scarcity or abundance. To Allah belongs all praise and gratitude.” [11]

This clearly indicates that the sinking of water and its retention in deep recesses beneath the surface of the earth, whereby it becomes impossible for mankind to reach it by any means, is a manifestation of water scarcity and its paucity due to subterranean entrapment. This necessitates turning to Him, Glorious and Exalted be He, that He may make its emergence easy once again, to flow upon the surface of the earth as a fresh, pure source.

And among the recommended acts is the supplication of the worshippers by raising the palms of their hands, and the turning over of their cloaks after the conclusion of the prayer for rain (ṣalāt al-istisqā’), as an expression of hope that the condition may change from drought, scarcity, and paucity of water to abundance, profusion, and blessing therein.

Ibn Hajar al-‘Asqalānī said: “The wisdom behind indicating with the palms during the prayer for rain, unlike other prayers, is as a hopeful omen of the reversal of the state from back to front, just as has been said concerning the turning of the cloak.” [21]

#### **Legal Ruling Five: The Permissibility of Submitting a Complaint to the Ruler Regarding the Occurrence of Drought to Take the Required Legal Action**

This is of the nature of informing of the reality of the situation, and it has been narrated by Sharīk ibn ‘Abd Allāh ibn Abī Namr that he heard Anas ibn Mālīk mention: “That a man entered on the Day of Friday from a gate which faced the pulpit, while the Messenger of Allāh [SAW] was standing and delivering the sermon. He stood facing the Messenger of Allāh [SAW] and said: O Messenger of Allāh, the livestock have perished, and the roads are cut off, so supplicate to Allāh to grant us rain. He said: Then the Messenger of Allāh [SAW] raised his hands and said: O Allāh, grant us rain, O Allāh, grant us rain, O Allāh, grant us rain. Anas said: By Allāh, we saw no cloud in the sky, nor even a fragment of it, nor anything, and there was not between us and Sal’ a house nor a dwelling. He said: Then a cloud appeared from behind it resembling a shield; when it reached the centre of the sky it spread out and then it rained. He said: By Allāh, we did not see the sun for six days. Then a man entered from that gate the following Friday, and the Messenger of Allāh [SAW] was standing and delivering the sermon, and he stood facing him and said: O Messenger of Allāh, the wealth has perished, and the roads are cut off, so supplicate to Allāh to withhold it from us. He said: Then the Messenger of Allāh raised his hands, and then said: O Allāh, around us and not upon us, O Allāh, upon the hills and the mountains, the valleys and the places where trees grow. He said: Then it ceased, and we went out walking in the sunshine. Sharīk said: I asked Anas: Was he the same man? He said: I do not know.” [16][17]

The point of legal inference is that this man informed the Prophet [SAW] of the difficult circumstances they were experiencing in the desert and elsewhere, where the withholding of rain resulted in the perishing of livestock; thus, the Messenger of Allāh [SAW] supplicated, and Allāh responded, providing abundant rainfall to relieve the people. Then, the rainfall became so abundant that the loss of wealth was complained of to him, so he supplicated for its cessation as he had previously supplicated for its descent.

And it was only permissible for the man to address the Prophet [SAW] whilst he was upon the pulpit due to the pressing need for such an address, as it pertained to the general drought that had afflicted them. For this reason, al-Ḥāfiẓ Ibn Hajar al-‘Asqalānī stated: “In this ḥadīth, in addition to what has preceded, is the permissibility of conversing with the imām during the sermon when there is a need.” [21]

This serves as evidence for the recommendation that the subjects inform the ruler of occurrences of drought, desertification, and water scarcity, so that legal procedures may be adopted, including supplication, seeking rain (istisqā’), exhortation to give charity, and practical, on-the-ground measures previously mentioned in Topics Two and Three.

#### **Topic Five: General Regulations**

The researchers propose a number of regulations which lend further depth to the subject of the research, including the following:

1. Whoever causes the drying up of water sources or their corruption through poisoning or the like is one who spreads corruption upon the earth and deserves legal punishment.
2. There is no place for despair in the face of drought, water scarcity, or its rarity, for it is a trial from Allāh that necessitates patience, gratitude, and the undertaking of religious and worldly, material means.

3. Water scarcity is a general problem which individual efforts cannot address; rather, it is incumbent upon the subjects to cooperate with the ruler and experts to diagnose the issue and record suitable solutions.

#### 4. RESEARCH FINDINGS

The research produced a set of findings, the most significant of which are as follows:

1. Water is a divine blessing that must be preserved, and all those who seek to tamper with it must be confronted.
2. Water scarcity and the depletion of its resources is an ancient problem known to humankind, and the Arabs described it using linguistically peculiar expressions, indicating the strangeness of people's conditions in the face of desertification, drought, and reduced rainfall.
3. The foundational sources of water resources are rainwater, valleys, rivers, waterfalls, underground wells, and seawater desalinated using modern technology.
4. The field remains open for the innovation of means to extract groundwater.
5. The innovative definition by the researchers of the scarcity of water resources is: the alteration of water sources from their natural state either entirely, such that no trace of water remains at all, or partially, such that the water is reduced below its customary level, or altered from its original pure state by the introduction of other elements polluting its original natural component.
6. The Najrān region, like other regions of the Kingdom, faces challenges in the field of water, which have been overcome by various means that align with the ambitious Vision 2030 of the Kingdom of Saudi Arabia to address these challenges through innovative strategies and effective practical solutions.
7. The research documented a number of legal rulings and observed etiquettes related to water resources, which were compiled into five rulings discussed in detail within the body of the research.
8. The research also recorded certain important regulations relevant to the subject.

#### 5. IMPORTANT RECOMMENDATIONS

The research produced certain research recommendations which merit further exploration, the most significant of which are:

1. Legal and discretionary punishments for those causing the obliteration of water sources.
2. The importance of water resources in the strength of national economies.

#### 6. ACKNOWLEDGMENT

The authors are thankful to the Deanship of Graduate Studies and Scientific Research at Najran University for funding this work under the Najran Research Funding Program grant code (NU/NRP/SEHRC/13/363-1).

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