



Third question from Fatwa No. 3598:

Q: I have been married to a woman for three years and she has not been able to give birth until now. I want her to be examined by a doctor, but there are no female doctors available; only male doctors. Is it permissible for her to be examined by a male doctor, knowing that she has refused this? Furthermore, my wife is now living with her family due to some family problems and they will not let her come back to me unless I deal with them aggressively. They are harsh and not pious, and want to separate me from my wife against our will. If I file a lawsuit against them, they will force my wife to ask for divorce. Kindly give me your opinion in this regard. Some people advise me to go to magicians, and I know that going to magicians is an act of Shirk. I am really at a loss and do not know what to do. Kindly guide me to the right decision. May Allah guide you!

A: Firstly, it is permissible for you wife to be examined by a specialized male doctor

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to know the reasons behind the delay of pregnancy when specialized female doctors are lacking, provided that there is no Khulwah (being alone with a member of the opposite sex) between her and the doctor.

Secondly, the dispute between you and her family concerning your moving her to the place of your work is to be settled in a competent court.

Thirdly, your saying that some people advised you to influence them by magic is Munkar (that which is unacceptable by Islamic law and Muslims of sound intellect), for magic is Haram (prohibited), whether you are practicing it, seeking help through it, or believing its practitioners. Not only that but it is also a type of major Kufr. Many proofs from Shari`ah state that practicing and learning magic is Kufr. Allah (may He be Exalted) says, **﴿ And they followed what the Shayâtîn (devils) gave out (falsely of the magic) in the lifetime of Sulaimân (Solomon). Sulaimân did not disbelieve, but the Shayâtîn (devils) disbelieved, teaching men magic and such things that came down at Babylon to the two angels, Hârût and Mârût, but neither of these two (angels) taught anyone (such things) till they had said, "We are only for trial, so disbelieve not (by learning this magic from us)." And from these (angels) people learn that by which they cause separation between man and his wife ﴾**Allah knows best.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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