

69859 - Ruling on studying medicine and working in hospitals where there is mixing

the question

We are students in the medical science faculty, and we are asking about the Islamic ruling, in your opinion, on working in mixed hospitals where male doctors treat women and men alike, although it is possible to avoid prohibited khulwah (being alone with a member of the opposite sex). All the hospitals in our country operate in this manner, so it is not possible for a Muslim to avoid it by working as a doctor in a hospital that is just for men, because there are no such hospitals at all in our country. Some of us are of the view that if a Muslim doctor stops working in the system mentioned above, then that would be detrimental to people's interests and lead to negative consequences greater than those that would result from working in those hospitals. We are very stressed about this issue and we have not found any convincing answers to this question. Perhaps Allah may guide us to the correct decision at your hands.

Detailed answer

Praise be to Allah

Firstly:

We appreciate your concern and eagerness to find out the Islamic ruling on this issue which is a widespread problem. We ask Allah to help and guide us and you in word and deed.

Secondly:

It is not permissible for a male doctor to treat a woman unless there is no female doctor – Muslim or otherwise – available.

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A statement to this effect has been issued by the Islamic Fiqh Council, the text of which is as follows:

The basic principle is that if a specialist female doctor is available, then she should examine the female patient. If that is not possible, then the examination may be done by a trustworthy non-Muslim female doctor. If that is not possible, then it should be done by a Muslim male doctor, and if no Muslim male doctor is available, then it may be done by a non-Muslim male doctor, so long as he looks at the woman's body only to the extent that is necessary to diagnose and treat the sickness, and no more than that, and he should lower his gaze as much as possible, and this treatment of the woman by a male doctor should be done in the presence of her mahram or husband, or a trustworthy woman, so as to avoid khulwah.

We also advise the following:

The medical authorities should strive hard to encourage women to enter the field of medical science and specialise in all branches thereof, especially gynaecology and obstetrics, because of the scarcity of women in these medical specialties, so that we will not be compelled to rely on the principle of exceptions.

End quote from Majallat al-Majma' (8/1/49).

This is what we have based our answers on concerning this matter. See, for example, the answers to questions no. [2152](#) and [20460](#).

Thirdly:

If the Muslims in any particular country find that all the hospitals are mixed, then this is an unfortunate and exceptional situation, in which the guidelines mentioned mentioned above cannot be applied, because in that case women, or most of them, have no choice but to go to these hospitals and consult male doctors. Undoubtedly, if we were to say that righteous doctors are not

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allowed to work in these hospitals, it would mean that the place would be devoid of righteous people and would be filled with those who do not remember that Allah, may He be exalted, is watching them when they work, in terms of their gaze and being alone with members of the opposite sex. It would also mean that these doctors are deprived of work opportunities, and that medical faculties would be devoid of people who are religiously committed and righteous. Undoubtedly these are serious negative consequences, which outweigh the negative consequences of men looking at the 'awrahs of women, which is permissible in cases of need and necessity.

So what we think – and Allah knows best – is that there is nothing wrong with you working in these hospitals, whilst striving hard to change this situation by setting up private clinics and hospitals that are not mixed, and working hard to influence and convince those who are in charge to allocate some hospitals just for women, and adhering to Islamic guidelines that it is possible to adhere to, such as not being alone with a member of the opposite sex, and restricting the gaze to the site of the medical problem only, as has been explained in the answer to question no. [5693](#).

Our answer there was based on two things:

The first is the principle that is well-established among the scholars, which is that rules and regulations of sharee'ah are aimed at attaining and perfecting what is in people's best interests, and at stopping and reducing that which is detrimental to their interests, and that it is permissible to commit the lesser of two evils in order to ward off the greater.

The second stems from the first, and is mentioned in fatwas by some scholars, which is that it is permissible to do some jobs that are disallowed so as to reduce evil as much as possible. An example of that is the fatwa given by Shaykh al-Islam Ibn Taymiyah (may Allah have mercy on him) concerning those who take on some positions of authority and are compelled to take mukoos (haram type of taxes) from the people, but they strive hard to treat people justly and reduce

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injustice as much as possible, so they reduce whatever haraam taxes they can, but if they were to resign their posts, they would be replaced by others under whom the injustice would increase. So Ibn Taymiyah (may Allah have mercy on him) issued a fatwa stating that it is permissible for such a person to remain in his post; in fact his remaining in that post is better than his leaving it, so long as he is not distracted by it from doing something better than it. And he said: That may be obligatory upon him, if there is no one else who is able to do it. Spreading justice as much as possible and reducing injustice as much as possible are communal obligations, and everyone must do as much of that as he is able to, if no one else is doing it instead of him.

End quote from Majmoo' al-Fataawa (30/356-360)

It is well-known that taking mukoos (haraam type of taxes) is emphatically prohibited and is a major sin, but if by taking on such a post a righteous Muslim can reduce evil and lessen it as much as possible, it is permissible for him to do that.

Shaykh Ibn 'Uthaymeen (may Allah have mercy on him) commented on these words of Shaykh as Islam as follows:

Public interests must be taken into special consideration. For example, if we abandon the issue of medicine and good people do not learn medicine and say, "How can I learn medicine when there are women beside us, female nurses, females students and female trainees?" We say: If you refuse to do this, will the field remain empty? Evil people will come who will spread corruption in the land after it was in a good state, but if you and other people get involved in this field, perhaps one day Allah will guide the people in authority and they will put women in one section and men in another.

End quote from Sharh Kitaab as-Siyaasah ash-Shar'iyah (p. 149)

Shaykh Ibn 'Uthaymeen (may Allah have mercy on him) was asked:

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We are a group of doctors working in Riyadh, and we have some night shifts in which there are both male and female patients, and sometimes a female patient may have a problem, such as a headache or abdominal pain, and in order to do the job properly, the doctor has to examine the patient, which may require taking information to find out the cause of the headache, and that requires examining the abdomen, head or other parts so that the doctor will have discharged his responsibility. But if there is no examination that may not affect the patient much. In other words, there is room for avoiding it, but to do things properly requires an examination.

He replied:

What the administration of the hospital must do is pay attention to this matter and make night shifts covered by both male and female doctors, so that if female patients need to be treated or examined, female doctors may be sent to them. If the administration does not do what is required of them and does not care about it, then there is no blame on you if you examine women, but that is on condition that there be no khulwah (being alone with a member of the opposite sex) or desire, and there should also be a need for the examination. If there is no need for the examination and it is possible to delay a close examination until there are female doctors available, then you should delay it. If that is not possible, then it is a case of necessity and there is nothing wrong with it.

End quote from Liqaa'at al-Baab al-Maftooh (1/206)

We ask Allah, may He be exalted, to rectify our affairs and those of the Muslims, and to help us to avoid temptation, both visible and hidden, for He is All-Hearing, Ever Near, Ever Responsive.

And Allah knows best.