

## **Comparative Study of Dissolution of Marriage caused by Impotence with regard to British Law and some Arab Countries**

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### **Abstract**

In Iranian law, in case of impotence (sexual incapacity) of the husband, the wife has the right to dissolution of marriage under certain conditions. In addition, it is possible for her to claim the divorce due to embarrassment. Of course, in cases where there are no conditions for exercising the right of termination - such as the delay in termination, knowing before the marriage, the husband becoming infected after intercourse - the dissolution of the marriage is possible only through divorce. The most important difference between the termination lawsuit and the divorce case is that in termination, mere proof of impotence is enough and treatment is not relevant, but in the divorce case, "incurability" is considered; therefore, it is necessary to pass the treatment period. In Sunni jurisprudence and the law of Arab countries, it is important to grant a one-year period or an appropriate period for the treatment of impotence to termination of marriage or divorce. In British law, impotence can be annulled if the couple is incurable or at risk of treatment, or if the couple refuses treatment. In addition, divorce is possible. In this article the ways to treat impotent are medically examined.

**Keyword:** impotence, dissolution of marriage, divorce due to embarrassment, incurable disease, cure

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