

National Vision Party of Liberia, represented by and thru its National Chairman, Mr. Washington S. McGill, Rehab Road, Paynesville, Montserrado County 1st Respondent **National Union for Democratic Progress**, represented by and thru its National Chairman, Mr. Victor G. Barney, Wroto Town (Around the ERU Headquarters), Monrovia 3rd Respondent, **Citizen Unification Party**, represented by and thru its National Chairman, Mr. Momolu Freeman, 11th Street Sinkor, Monrovia 4th Respondent **Freedom Alliance Party**, represented by and thru its National Chairman, Rev. Wilfred Wade, Mamba Point, Monrovia 5th Respondent, **Original Congress Party**, represented by and thru its National Chairman, Rev. Victor S. N. Saylee, Chelley Compound, J.J. Y., Gardnersville 6th Respondent, **Liberia Empowerment Party**, represented by and thru its Acting National Chairman, Mr. Isaac G. Kabakollie, T. B. Annex, Congo Town, Monrovia 7th Respondent, **Progressive Democratic Party**, represented by and thru its National Chairman, Mr. Nathaniel D. Sawyer, I, Clay & Benson Streets, Monrovia 8th, Respondent **Liberia Destiny Party**, represented by and thru its National Chairman, Mr. P. Warkie Gmah, Congo Town (After Old Moroccan Embassy) 9th Respondent, **National Reformation Party**, represented by and thru its National Chairman, Maxmillian T.W. Diabe, Duala Market Bushrod Island, Monrovia 12th Respondent, **National Democratic Party of Liberia**, represented by and thru its National Chairman, Mr. George Dweh, Johnson Street, Monrovia 13th Respondent, **Liberia Reconstruction Party**, represented by and thru its Acting National Chairman, Mr. A. Kaifa Dunor Jr., Chicken Soup Factory, Gardnersville 14th Respondent, **National Social Democratic Party**, represented by and thru its National Chairman, Rev. Robert T. Brown, II., 26th Street Sinkor, Behind Sam Barbeque 15th Respondent, **Liberia Equal Rights Party**, represented by and thru its National Chairman, Mr. Chancy Chea Bolo, Logan Town Broad Street, Bushrod Island 17th Respondent **Majority Party of Liberia**, represented by and thru its National Chairman, Mr. Joseph O. Lathrobe, Camp Johnson Road, Monrovia 18th Respondent, **Progressive People's Party**, represented by and thru its National Chairman, Mr. William N. T. Gibson, Caldwell, New Georgia Bushrod Island 19th Respondent APPELLANTS VERSUS **The National Elections Commission of Liberia (NEC)** By and thru its Chairman, Cllr. Jerome G. Korkoya of the City of Monrovia, Republic of Liberia Appellee

APPEAL

LRSC 24

HEARD: July 9, 2014 DECIDED: July 23, 2014

MR. CHIEF JUSTICE KORKPOR DELIVERED THE OPINION OF THE COURT

On February 10, 2014, the National Elections Commission (NEC), the appellee in these proceedings, filed a petition for the revocation of the registration and accreditation of twenty

(20) existing political parties, the appellants. The petition, which was filed at the Six Judicial Circuit Court, Civil Law Court, Montserrado County, stated essentially that a) all of the appellants failed to file their respective statements of assets and liability with NEC on or before September 1, 2013 as required by Article 83(d) of the Constitution of Liberia; b) failed to maintain headquarters within the capital of the Republic of Liberia as required by Article 79(c)(i) of the Constitution of Liberia; and c) failed to maintain a minimum balance of Ten Thousand United States Dollars (\$10,000.00) or its equivalent in Liberian Dollars in their respective bank accounts, as required by Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates. We quote the petition:

PETITIONER'S PETITION FOR REVOCATION

NOW COMES PETITIONER, THE National Elections Commission of the Republic of Liberia (NEC), by and through its Chairman, Counselor Jerome G. Korkoya, praying this Honorable court to revoke, set aside, and nullify the registration and accreditation of each and everyone of the above named Respondents, and sheweth the following reasons, to wit:

1. That Petitioner, the National Elections Commission of the Republic of Liberia (NEC), was established as an autonomous Commission under Article 89(b) of the 1986 Liberian Constitution and, pursuant to Chapter 2, section 9, Subsection (a) of the New Elections Law of 1986, is empowered to administer and enforce all laws relative to the conduct of elections throughout the Republic of Liberia.
2. That pursuant to Article 79(a) of the 1986 Constitution of Liberia and Chapter 2, Section 9(d) of the New Elections Law of 1986 only registration by Petitioner of an association vests in such association legal personality with the right to function as a political party.
3. That Article 83(d) of the 1986 Constitution of Liberia makes it mandatory that every political party in Liberia shall, on September 1st of each year, publish and submit to Petitioner detailed statements of assets and liabilities; these shall include the enumeration of sources of funds and other assets, plus list of expenditure.
4. That Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates mandates that each political party shall maintain an updated bank account with a balance not less than Ten Thousand United States Dollars (US\$10,000.00) or its equivalent in Liberian Dollars.

5. That Article 79(c)(i) of the 1986 Liberian Constitution, in relevant part, mandates that no association shall function as a political party unless the headquarters is situated in the Republic's capital.

6. That as registered political parties, each and all Respondents are required to comply with the mandatory requirements of Article 83(d) and Article 79(c)(i) of the 1986 Liberian Constitution, as well as the regulatory requirements of Part II, Chapter IV of the Guidelines Relating to the Registration of the Registration of Political Parties and Independent Candidates.

7. That Section 2.9, Subsection (f) of the New Elections Law of 1986 empowers Petitioner National Elections Commission to: Revoke the registration and accreditation of an already legal party only upon the judicial determination of a court of competent jurisdiction, in accordance with due process.

8. That [the]14th Respondent, Liberia Reconstruction Party, 15th Respondent National Social Democratic Party of Liberia, 16th Respondent Republican Party, 17th Respondent Liberia Equal Rights Party, 18th Respondent Majority Party of Liberia, and 19th Respondent Progressive People's Party during both the required period for submission and the grace period provided to all political parties absolutely neglected, refused, and failed to comply with the constitutional requirement of Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates.

9. That despite the fact that Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates mandates each and all Respondents to maintain an updated bank account with a balance not less than Ten thousand United States Dollars (US\$10,000.00) or its equivalent in Liberian Dollars, Respondents have neglected, failed and/or refused to comply, thereby violating same.

11. That Petitioner, through its Chairman, cited Respondents to a meeting held on September 20, 2013, regarding Respondent's failure to fully comply with the requirement of Article 83(d) of the Constitution. At said meeting, Petitioner again reminded Respondents of their respective obligations to publish and submit their statements of assets and liabilities to Petitioner as required by Article 83(d) of the Liberian Constitution, and to show proof of their minimum bank balance of ten thousand United States Dollars (\$10,000) or its equivalent in Liberian Dollars as required by part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates. Petitioner respectfully requests this Honorable Court to take judicial notice of the letters of citation, dated September 18, 2013, and marked in bulk as P/4 hereto attached to form an integral part of this Petition.

12. That acknowledging they had failed to fully comply with the constitutional requirement of Article 83(d) and the regulatory requirement of Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates, Respondents requested for an extension of time. As a result, Petitioner gave all political parties, including Respondents, a grace period of one week, up to September 27, 2013, to publish and submit their statements of assets and liabilities to Petitioner, as well as show proof of their respective bank balances of not less than ten thousand United States (\$10,000.00) or its equivalent in Liberian Dollars. Petitioner respectfully requests this Honorable Court to take judicial notice of the three-page minutes taken at said meeting, marked as P/5 here to attached to form an integral part of this Petition. Petitioner further requests this Honorable Court to take judicial notice of a copy of the New Dawn's news article dated September 27, 2013, regarding the grace period granted to all political parties, including Respondents, marked as P/6 hereto attached to form an integral part of this Petition.

13. That 2nd Respondent National Democratic Coalition; 13th Respondent National Democratic Party of Liberia and 20th Respondent Alliance for Peace and Democracy, having neglected, failed, and/or refused to meet the above mentioned constitutional and regulatory requirements during the required period for submission, also neglected, failed, and/or refused during the grace period provided to all political parties to publish and submit the required assets and liabilities statements to Petitioner. And thus failed, neglected, and/or refused to comply with the constitutional requirement of Article 83(d), as well as the regulatory requirement of Part II, IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates.

14. That in addition to neglecting, failing, and/or refusing to meet the above mentioned mandatory constitutional and regulatory requirements during the required period for submission, the 1st, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th and 12th Respondents intentionally and knowingly during the grace period provided to all political parties-submitted misleading and false assets and liabilities statements to Petitioner, being fully aware that the declared amount and/or accounts in said statements were false and/or did not exist. Petitioner respectfully requests this Honorable Court to take judicial notice of the submitted assets and liabilities statements, in each respondent's handwriting, marked in bulk as p/7 hereto attached to form an integral part of this petition.

15. That as evidenced in 1st Respondent National Vision Party of Liberia's declaration statement to Petitioner which forms a part of P/7 in bulk, said Respondent stated it had a balance of US\$500.00 with the International Bank Liberia Limited. Upon Petitioner's request for verification of said account and amount, the bank reported that Respondent did have an

account with its institution. Petitioner says that by reasons of Respondent failure and the bank's confirmation., Respondent did not meet the constitutional requirement of Article 3(d), as well as the regulatory requirement of Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates, which requires Respondent to have and maintain a bank balance of ten thousand United States Dollars (\$10,000.00) or its equivalent in Liberian Dollars. Petitioner further says that with a deliberately planned purpose, Respondent sought, by reason of its intentional misrepresentation of material facts to deceive Petitioner to act in a manner that would unlawfully benefit Respondent.

16. That as evidenced in 3rd Respondent National Union for Democratic Progress's declaration statement to Petitioner which forms a part of P/7 in bulk, said Respondent stated it has a bank balance of US\$13,855.00 with Guaranty Trust Bank (GT), and submitted a deposit slip purportedly from GT showing a deposited amount of US\$13,835.00. Upon Petitioners request for verification of said account and amount, the bank reported that the declared account did not exist, and that the deposit slip in question did not originate from GT bank, Petitioner says the bank's denial of the deposit slip essentially means that said deposit slip was false and/or doctored by Respondent. Petitioner also says that by reasons of Respondent's failure and the bank's confirmation, Respondent did not meet the constitutional requirement of Article 83(d), as well as the regulatory requirement for Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates, which requires Respondent to have and maintain a bank balance of ten thousand United States Dollars (\$10,000.00) of its equivalent in Liberian Dollars. Petitioner further says that with a deliberately planned purpose, Respondent sought, by reason of its intentional misrepresentation of material facts to deceive Petitioner to act in a manner that would unlawfully benefit Respondent.

17. That as evidenced in 4th Respondent Citizens Unification Party's declaration statement to Petitioner which forms a part of P/7 in bulk, said Respondent stated it had a bank balance of US \$10,000.00 with Ecobank. Upon Petitioner's request for verification of said account and amount, the bank reported the declared account and amount did not exit. Petitioner says that by reason of Respondent's failure and the bank's confirmation; Respondent did not meet the constitutional requirement of Article 83(d), as well as the regulatory requirement of Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates, which requires Respondent to have and maintain a blank balance of ten thousand United States dollars (\$10,000.00) or its equivalent in Liberian Dollars. Petitioner further says that with its intentional misrepresentation of material facts to deceive Petitioner to act in a manner that would unlawfully benefit Respondent.

18. That as evidenced in 5th Respondent Freedom Alliance Party of Liberia's declaration statement to Petitioner which forms a part of P/7 in bulk, said Respondent stated it had a

bank balance of US\$10,000.00 with First International Bank. Upon Petitioner's request for verification of said account and amount, the bank reported the declared account and amount did not exist. Petitioner says that by reasons of Respondent's failure and the bank's confirmation, Respondent did not meet the constitutional requirement of Article 83(d), as well as the regulatory requirement of Part II, Chapter IV .of the Guidelines Relating to the Registration of Political Parties and Independent Candidates which requires Respondent to have and maintain a bank balance of ten thousand United States Dollars (\$10,000.00) or its equivalent in Liberian Dollars. Petitioner further says that with a deliberately planned purpose, Respondent sought, by reason of its intentional misrepresentation of material facts to deceive Petitioner to act in a manner that would unlawfully benefit Respondent.

19. That as evidenced by 6th Respondent Original Congress Party of Liberia's declaration statement to Petitioner which forms a part of P/7 in bulk, said Respondent stated it had bank balances of US\$10,000.00 and LD\$3,750.00 with First International Bank. Upon Petitioner's request for verification of said accounts and amounts, the bank confirmed that the USD account existed but that the declared amount was false and that Respondent was instead indebted to the bank in the amount of US\$197.46. The bank did not, however, confirm the LD account. Petitioner says that by reasons of Respondent's failure and the bank's confirmation, Respondent did not meet the constitutional requirement of Article 83(d), as well as the regulatory requirement of Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates, which requires Respondent to have and maintain a bank balance of ten thousand United States Dollars (\$10,000.00) or its equivalent in Liberian Dollars. Petitioner further says that with a deliberately planned purpose, Respondent sought, by reason of its intentional misrepresentation of material facts to deceive Petitioner to act in a manner that would unlawfully benefit Respondent.

20. That as evidenced in 7th Respondent Liberia Empowerment Party's declaration statement to Petitioner which forms a part of P/7 in bulk, said Respondent stated it had bank balances of US\$10,000.00 and LD\$800,000.00 with First International Bank. Upon Petitioner's request for verification of said accounts and amounts, the bank reported that the declared amounts were false and that respondent was instead indebted to the bank in the amount of US\$509.02. Petitioner says that by reasons of Respondent's failure and the bank's confirmation, Respondent did not meet the constitutional requirement of Article 83(d), as well as the regulatory requirement of Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and independent Candidates, which requires Respondent to have and maintain a bank balance of ten thousand United States Dollars (\$10,000.00) or its equivalent in Liberian Dollars. Petitioner further says that with a deliberately planned purpose, Respondent sought, by reason of its intentional misrepresentation of material facts to deceive Petitioner to act in a manner that would unlawfully benefit Respondent.

21. That as evidenced in 8th Respondent Progressive Democratic Party's declaration statement to Petitioner which forms a part of P/7 in bulk, said Respondent stated it had a bank balance of LD\$177,580.00 with Afriland First Bank. Upon Petitioner's request for verification of said account and amount, the bank reported that the declared amount was false, and that Respondent had a balance in the negative of LD\$8,396.63. Petitioner says that by reasons of Respondent's failure and the bank's confirmation, Respondent did not meet the constitutional requirement of Article 83(d), as well as the regulatory requirement of Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates, which requires Respondent to have and maintain a bank balance of ten thousand United States Dollars (\$10,000.00) or its equivalent in Liberian Dollars. Petitioner further says that with a deliberately planned purpose, Respondent sought, by reason of its intentional misrepresentation of material facts to deceive Petitioner to act in a manner that would unlawfully benefit Respondent.

22. That as evidenced in 9th Respondent Liberia Destiny Party's declaration statement to Petitioner which forms a part of P/7 in bulk, said Respondent stated it had a bank balance of US\$2,400.00 with Ecobank. Upon Petitioner's request for verification of said account and amount, the bank reported that the declared amount was false, and that Respondent had two USD accounts at said bank: one had an overdrawn balance of US\$493.83, and the other had an overdrawn balance of \$3,572.9. Petitioner says that by reasons of Respondent's failure and the bank's confirmation, Respondent did not meet the constitutional requirement of Article 83(d), as well as the regulatory requirement of Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates, which requires Respondent to have and maintain a bank balance of ten thousand United States Dollars (\$10,000.00) or its equivalent in Liberian Dollars. Petitioner further says, that with a deliberately planned purpose, Respondent sought, by reason of its intentional misrepresentation of material facts to deceive Petitioner to act in a manner that would unlawfully benefit Respondent.

23. That as evidenced in 11th Respondent Liberia Transformation Party's declaration statement to Petitioner which forms a part of P/7 in bulk, said Respondent stated it has a bank balance of US\$10,500.00 with International Bank, and submitted a bank statement purportedly from International Bank reflecting US\$10,500;00 in the declared account. Upon Petitioner's request for verification of said account and amount, the bank reported the declared amount was false, and that Respondent instead had US\$100.00 in the reported account. Petitioner says that by reasons of Respondent's failure and the bank's confirmation, Respondent did not meet the constitutional requirement of Article 83(d), as well as the regulatory requirement of Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates, which requires Respondent to have and maintain a bank balance of

ten thousand United States Dollars (\$10,000.00) or its equivalent in Liberian Dollars. Petitioner further says that with a deliberately planned purpose, Respondent sought, by reason of its intentional misrepresentation of material facts to deceive Petitioner to act in a manner that would unlawfully benefit Respondent.

24. That as evidenced in 12th Respondent National Reformation Party's declaration statement to Petitioner which forms a part of P/7 in bulk, said Respondent stated it had a bank balance of US\$1,192.00 with Ecobank. Upon Petitioner's request for verification of said account and amount, the bank reported that the declared amount was false, and that Respondent instead has a balance of US\$709.00 in said account. Petitioner says that by reasons of Respondent's failure and the bank's confirmation, Respondent did not meet the constitutional requirement of Article 83(d), as well as the regulatory requirement of Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates, which requires Respondent to have and maintain a bank balance of ten thousand United States Dollars (\$10,000.00) or its equivalent in Liberian Dollars. Petitioner further says that with a deliberately planned purpose, Respondent sought, by reason of its intentional misrepresentation of material facts to deceive Petitioner to act in a manner that would unlawfully benefit Respondent.

25. Petitioner says that in addition to neglecting, failing, and/or refusing to comply with Article 83(d) of the Liberian Constitution, as well as the regulatory requirement of Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates, 4th Respondent Citizens Unification Party, 5th Respondent Freedom Alliance Party of Liberia, 14th Respondent Liberia Reconstruction Party, 16th Respondent Republic Party, and 17th Respondent Liberia Equal Rights Party all failed to have and maintain headquarters in the Republic's capital, as required by the mandatory language of Article 79(c)(i) of the 1986 Liberian Constitution.

26. Petitioner submits that violations of the constitutional requirements of Article 83(d), Article 79(c)(i), as well as the regulatory requirement of Part II, Chapter IV the Guidelines Relating to the Registration of Political Parties and Independent Candidates are grave and so must the remedy.

27. Petitioner further contends and submits that where, as in the instant case, the Constitution is violated, the violator's authority to function is taken away. And also since Article 84 gives the Legislature the power to enact laws to provide penalties for violation of any provision of Chapter VIII which includes Article 83(d), the Legislature under Chapter 2, Section 2.9, Subsection (f) of the New Election empowers Petitioner to revoke the registration and accreditation of any registered political Party in violation. Petitioner says that Respondents,

having violated Article 83(d) of the Constitution and Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates, Petitioner is under a legal duty to seek the revocation of the registration and accreditation of each and all respondents herein named.

28. Petitioner further submits that political parties, as "government in waiting," should be responsible and abide by the rule of law and where, as in the instant case, Respondents refused to abide by existing constitutional provision, elections law, regulation, and even proceeded to the extent of knowingly and intentionally submitting misleading and false accounts information intending for Petitioner and the public to rely on such false information, Petitioner is under a legal duty to seek appropriate remedy consistent with its mandate to enforce all elections laws, including the 1986 Constitution of Liberia.

29. That due to the grave constitutional, statutory, and regulatory violations herein complained of, the relief requested, and pursuant to Chapter 15 of the Civil Procedure Law, Rev. Code 1: 15.3(a) and (c), Petitioner respectfully requests this Honorable Court to give this Petition preference on the Court's trial docket

WHEREFORE AND IN VIEW OF THE FOREGOING, Petitioner respectfully prays this Honorable Court to grant this Petition and revoke, nullify, and set aside the respective registrations and accreditations of the above named Respondents, declaring them no longer in existence as Political Parties, and grant unto Petitioner any and all other relief deemed legal, just, and equitable."

The records certified to us show that the 16th respondent, Republican Party, was not served copy of the petition because its Chairman and other authorized representatives could not be located. Hence, the trial court ordered that the summons be served by publication on the Republican Party.

The 2nd respondent, National Democratic Coalition (NDC), the 10th respondent, Liberia National Union (LINU), the 11th respondent, Liberia Transformation Party and the 20th respondent, Alliance for Peace and Democracy (APD), filed separate returns to the petition within the ten-day statutory period required by statute. We must note, at this juncture, that the case against these four political parties is still pending at the 6th Judicial Circuit, Civil Law Court. In other words, no judgment has been entered against them in respect of the petition for revocation of their registration and accreditation. Thus, they are not parties to this appeal now before us.

Fifteen of the political parties jointly filed returns, they are: the 1st respondent, National Vision Party of Liberia, the 3rd respondent, National Union for Democratic Progress (NUDP), the 4th respondent, Citizen Unification Party, the 5th respondent, Freedom Alliance Party, the 6th respondent, Original Congress Party, the 7th respondent, Liberian Empowerment Party, the 8th respondent, Progressive Democratic Party, the 9th respondent, Liberia Destiny Party, the 12th respondent, National Reformation Party, the 13th respondent, National Democratic Party of Liberia, the 14th respondent, Liberia Reconstruction Party, the 15th respondent, National Social Democratic Party of Liberia, the 17th respondent Liberia Equal Rights Party, the 18th respondent, Majority Party of Liberia and the 19th respondent, Progressive People's Party. We quote the returns.

Respondents' Returns

Respondents in the above entitled cause of action most respectfully pray unto this Honorable Court to deny and dismiss this frivolous, deceptive and evilly motivated petition filed by the National Elections Commission (NEC) for the following reasons, to wit:

1. That the entire petition per se is motivated in evil schemed to set aside, by pass and defeat the essence of Article 77 of the Constitution which states that:

"Since the essence of democracy is free competition of ideas expressed by political parties and political groups as well as by individuals, parties may freely be established to advocate the political opinion of the people. Laws, regulations, decrees and measures which might have the effect of creating a one party state shall be declared unconstitutional"

2. The Constitution also states in Article 2 that:

"This Constitution is the supreme and fundamental law of Liberia and its provisions shall have binding force and effect on all authorities and persons throughout the Republic. Any laws, treaties, statutes, decrees, customs and regulations found to be inconsistent with it shall, to the extent of this inconsistency, be void and of no legal effect. The Supreme Court, pursuant to its power of judicial review, is empowered to declare inconsistent laws unconstitutional".

3. Respondent states that the principle stated in paragraph 1 and 2 hereinabove are so basic and fundamental to the operation of our system of government that any attempt to temper with them will be obviously chaotic with all the qualities to undermine the ten years of peace we are now enjoying. Respondents therefore pray this Honorable Court to put a halt to petitioner's programs of chaos as proposed in the petition.

4. As to counts 1, 2, and 3 of the subject petition, Respondents admit that the Constitution did establish the National Elections Commission and grant unto it certain powers to regulate the electoral process in Liberia. However, this does not include the scope of arbitrary and reckless exercise of power as contemplated in petitioner's petition.

5. Referring to counts 4 to 7 of the petition, Respondents state that same is a misstatement of the law in that the regulatory powers conferred upon Petitioner NEC do not include the authority to create obstacles in the fulfillment of Article 77 of the Constitution which clearly instructs that:

"Since the essence of democracy is free competitions of ideas expressed by political parties and political groups as well as by individuals, parties may freely be established to advocate the political opinions of the people. Laws, regulations, decrees and measures which might have the effect of creating a one party state shall be declared unconstitutional".

6. Respondents further maintain that the requirement imposed by Part II, Chapter IV of the Guidelines Relating to the Registration of political parties and Independent Candidates aforesaid is a reckless, capricious and malicious arrogation of power by Petitioners beyond the contemplation of the authors of the Constitution. Respondents state that had the authors of the Constitution intended to use money and other material things as the standard for measuring right of citizens to participate in the political process, they would never have said "political parties may freely be established to advocate the political opinion of the people." They would have said "only people who can afford to set aside an amount of United States Ten Thousand Dollars can take part in our political process." The language of Part II, chapter IV of the subject Guidelines (a non-legislative creature), is therefore manifestly offensive to, and inconsistent with, the idea of free establishment of political parties as clearly mandated by Article 77 aforesaid. This entire petition should therefore be dismissed, Part II, Chapter IV of the subject guidelines declared unconstitutional, and respondents herein so pray.

7. As to count 7 of the Petition relating to revocation of certificates of political parties, Respondents concur that the only vehicle for revocation of the certificate and registration of a political party is a court of competent jurisdiction. However, Article 80(b) of the Constitution expressly provides that:

"Parties or organization which retain, organize, train or equip any person or group of persons for the use or display or physical force or coercion in promoting any political objective or interest, or arouse reasonable apprehension that they are so organized, trained, or equipped, shall be denied registration, if registered, shall have their registration revoked".

8. Further to count 7 hereinabove, Respondents maintain that Petitioner has failed to allege or state any of the conditions outlined in Article 80(b) of the Constitution. Hence, the entire petition lacks any legal ground to engage, in the exercise of decertification of 20 political parties.

9. Further to count 8 hereinabove, Respondents maintain that the only legal ground for the revocation of the registration and certification of political parties are those provided for in Article 80(b) of the Constitution. Thus, any other ground as in this case is ultra-virus, capricious and wicked in that petitioner's main objective is to deprive the members of Respondents (20) political parties the right to the freedom of association" as guaranteed by the Constitution and the laws of this land.

10. Further to counts 8 and 9 hereinabove; Respondents maintain that the remedies available to the Petitioner NEC in cases of the facts alleged in the petition are those provided for under Article 84 of the Constitution which state that:

"The Legislature shall by law provide penalties for any violation of the relevant provisions of this chapter, and shall enact laws and regulations in furtherance here to not later than 1986, provided that such penalties, laws or regulations shall not be inconsistent with any provisions of this Constitution."

11. Further to counts 8, 9, and 10 hereinabove, Respondents maintain that the action instituted by the NEC is expressly outside and beyond the contemplation, tenets, policies and intents of the Constitution. Hence, by the plain meaning of Article 84 stated hereinabove, the entire petition should be denied and this Respondents so pray.

12. As to count 16 of the petition, Co-Respondent NUDP states that same is false, deceptive and dishonest in that the relevant portion of Petitioner's, own "Exhibit P/7" shows that the document purporting to be a statement of assets allegedly submitted by the NUDP was signed by an unknown person as "PP" for Bob Y. Yini, the treasurer of the NUDP. Had Petitioner exercised a minimum standard of care, they would have discovered that the purported statement of assets and all its attachments were false and did not reflect the true signature of Han. Bob Y. Yini. Moreover, even the form CF01 provided by Petitioner to be filled out by the Respondents was not signed.

13. Further to count 12 hereinabove, Co-Respondent NUDP maintains that it has provide the NEC with signature specimen which do not allow for "PP" A reasonably prudent person acting in good faith could have therefore, simply inquired from the party secretariat as to the authenticity of the documents presented. This reckless, careless and incompetent behavior of

personnel at the NEC cannot provide excuse to revoke the certificate of the third largest party in the Country and Co-Respondent NUDP so prays.

14. Further to counts, 12 and 13 hereinabove, Co-respondent NUDP states that when the information of the false documents came to their attention, an immediate and adequate; remedial action was taken to correct the ugly impressions then prevailing at the NEC. That is a bank statement issued by the Guaranty Trust Bank showing a balance of ten thousand fifty-five United States Dollars (USD\$10,055.00) was submitted with a cover letter over the signature of the Secretary General, Hon. Melee Kermue. Since that letter and the bank statement, NEC has failed to even acknowledge same. This action was therefore, conceived and instituted in bad faith for the mere purpose of depriving members of Respondents the right to freely participate in the democratic political process. Hence, same should be denied. Attached hereto is a copy of the actual NUDP, bank statement with covering letter mark exhibit R/1 and made a part of this returns.

15. Respondents deny all other allegations of facts and law contained in the petition and not specifically traversed in these returns.

Wherefore, Respondents pray this Honorable Court to deny and dismiss Petitioner's petition and grant unto respondents such other relief as this Honorable Court may deem just and equitable."

On March 3, 2014, the appellee, NEC, filed a motion to strike the above quoted returns filed by the appellants on the ground that the said returns were not properly verified. NEC contended that instead of verifying the returns, the affidavit attached to the appellants' returns seeks to verify a petition. In count 6 of the motion to strike, the movant argued that the returns are not verified as required by law; that the purported verification titled: "PETITIONERS' AEFIDAVIT" under the signature of Counsellor J. Laveli Supuwood "concerns another document and not the returns in question".

Reacting to the motion to strike the returns, the appellants filed a two-count resistance. In count 1 of the resistance the appellants contended that the entire motion is vague and fails to state a legal ground for the remedy prayed for," and in count two of the resistance,' they denied "all other allegations of facts and law contained in the motion." They prayed the trial court to grant them such other relief as the court deemed just and equitable.

The trial court heard arguments on the motion to strike pro et con and entered ruling striking the returns filed by the appellants.

We have deemed it necessary to quote the affidavit annexed to the appellants returns as follows:

PETITIONERS' AFFIDAVIT

PERSONALLY APPEARED BEFORE ME, a duly qualified Justice of the Peace for and operating within the City of Monrovia, County of Montserrado and Republic of Liberia, Counselor J. Laveli Supuwod one of counsel for PETITIONER in the foregoing and annexed Petition and made OATH according to law that all and singular the allegations as set forth in the petition are true and correct to the best of his knowledge and belief and as to those matters of fact he verily believes them to be true and correct.

SWORN AND SUBSCRIBED TO BEFORE ME

THIS 20TH DAY OF FEB, A.D. 2014

JUSTICE OF THE PEACE OF MONTSEERRADO

J. Laveli Supuwod

Counsellor-At-Law/ DEPONENT

FIVE DOLLARS REVENUE STAMPS AFFIXED ON ORIGINAL

We note, based on the records before us, that during oral argument on the motion to strike the returns for improper verification, the appellants did not deny that their affidavit annexed to their returns carries the heading "PETITIONERS' AFFIDAVIT," nor did they deny that in the body of the said affidavit Counsellor J. Laveli Supuwod is referred to as "one of counsel for PETITIONER in the foregoing and annexed Petition". No explanation was provided for these glaring errors. Their two-count resistance to the motion to strike the returns presented no reason, justification or excuse. In count 1 of their resistance the appellants contended that the entire motion is "vague and fails to state a legal ground for the remedy prayed for," and in count two of the resistance, they merely made a general denial of "all other allegations of facts and law contained in the motion. "The appellants argued, however, that the reference to "PETITIONERS' PETITION" instead of respondents returns which should have been the proper designation of their affidavit and the reference; in the body of the affidavit to Counsellor Supuwod as one of counsel for petitioner instead of one of counsel for respondents were harmless errors. We do not agree. Verification is a formal statement made under oath in the presence of an authorized officer such as a Notary Public, whereby one swears to the truthfulness of the statements in the pleading. By verification, the pleading is declared to be true and authentic. In this jurisdiction, our statute does not treat a failure to verify or improper verification as a harmless error.

Section 9.4. (1) (2) & (5) Verification and signing of pleadings, 1LCL Rev., Civil Procedure Law provides:

1. Verification required. Every written pleading except one containing only issues of law shall be verified on oath or affirmation that the averments or denials are true upon the affiant's personal knowledge or upon his information and belief.

2. Person required to verify. The verification shall be made by: (a) the party serving the pleading, or, if there are two or more parties united in interest and pleading together by at least one of them; or (b) by the attorney of such party; provided however, that the complaint in an action to secure an injunction or in a prohibition proceeding shall in every case be verified by the party himself.

5. Effect of improper verification or certification. If a pleading is not properly verified at certified, or if it is verified or certified with intent defeat the purpose of this section, it may be stricken, and the action may proceed as though the pleading had not been served.

Clearly, the appellants erred in the verification of their returns. Instead of verifying their returns, they verified a petition and even designated their own counsel as one of counsel for the petitioner. And the appellants gave no tangible or plausible reason to convince the trial judge and place their errors in the realm of harmless errors. The statute quoted above is unequivocal, if a pleading is not properly verified or certified, or if it is verified with the intent to defeat the purpose of section 9.4 of 1LCL Rev., Civil Procedure Law, the pleading may be stricken, and the action may proceed as though the pleading had not been served. The use of the word "may" in the statute gives option and discretion to the trial judge to strike a pleading which is not properly verified. This Court has held that where the trial court is given, power to exercise discretion, as in the instant case, the appellate court will not disturb the trial court's exercise of its discretion, unless it is shown that the trial court had abused its discretion. *Brewer, Jr. v. Mathies et al*/ 41 LLR 229 (2002); *Insurance Co. of Africa et al v. Fantastic Store* 32 LLR 366 (1984).

We have not found that the trial court in this case abused its discretion in striking the appellants returns; hence, we will not disturb the ruling of the trial court. We therefore confirm and affirm the ruling of the trial court striking the appellant's returns. Under our law, when a party's pleading is stricken, that party is ruled to bare denial. And a party in a position of bare denial is not permitted to introduce affirmative matters, though that party may cross-examine the plaintiffs witnesses as to proof and produce evidence. In support of the bare denial *Mussa v. Cooper* 37 LLR 906 (1994); *FDA v. Buchanan Logging Corporation* 29 LLR 437 (1982).

The records also reveal that on May 19, 2014 the appellants filed a motion praying the trial court to grant summary judgment in their favour and against the appellee as a matter of law. We summarize the salient contentions contained in the appellants' motion:

- a) That the statute requires that the court shall grant summary judgment if it is satisfied that the party in whose favour judgment is rendered is entitled to it as a matter of law;
- b) That in the instant case, there is no genuine issue as to any material fact to warrant a full scale trial because the petition for cancellation of registration and accreditation, subject of these proceedings alleges essentially that the appellants failed to meet requirements of Article 83(d) of the Constitution which requires that political parties file detailed financial statements by or before September 1 of each year;
- c) That none of the appellants denies, and hereby raises factual issues, concerning the filing of a detailed financial statement on or before September 1, 2014, consequently, there is no need for trial since there exist no genuine issues of material facts;
- d) That in this connection, they (appellants) are entitled to summary judgment as a matter of law because the grounds for revocation of a political party's certificate of registration as laid out under article 80(b) of the Constitution have not been alleged in the petition;
- e) That Article 80(b) of the Constitution states that "Parties or organization which retain, organize, train or equip any person or group of persons for the use or display of physical force or coercion in promoting any political objective or interest, or arouse reasonable apprehension that they are so organized, trained, or equipped, shall be denied registration, and if registered, shall have their registration revoked";

That what is alleged in petitioners' petition as stated above may be a proper subject for other kinds of legal or equitable remedies; in the absence of any genuine or material facts and legal grounds for the revocation of their certificates, the appellants are entitled to summary judgement as a matter of law.

- g) That the authors of the Constitution were aware that other violations would occur in the dynamics of the operation of multi-party democracy, therefore, they provided remedies in such situations in Article 84 of the sacred documents thus: "The Legislature shall by law provide penalties for any violation of the relevant provisions of this chapter, and shall enact laws and regulations in furtherance thereof not later than 1986, provided that such penalties, laws or regulations shall not be inconsistent with any provisions of the Constitution;" and

h) That the revocation of the certificate is a serious act which is expressly reserved for situations arising under Article 80(b) of the Constitution.

The appellee, NEC requested the trial court to spread its resistance to the motion for summary judgement on the minutes of the court, which request was granted. Here is a summary of NEC's resistance:

a) That the violation of the provision of the Constitution, specifically Article 83(d) which requires all political parties to publish and submit detailed statements of their assets and liabilities to NEC is grave enough to warrant the revocation of registrations and accreditation of the 15 political parties;

b) That Article 79(c)(i) provides that no political party shall function unless it has or it maintains headquarters in the capital city of Liberia;

c) That Article 84 of the 1986 Constitution empowers the National Legislature to enact laws that would prescribe the penalties for violation of provisions of the Constitution that falls under Article 83(d);

d) That consistent with the provision of Article 84 of the Constitution, the National Legislature in 1986 enacted a New Elections Law and provided for Chapter 2, Section 9, subsection (f) which empowers NEC to revoke the registration and accreditation of an already legal political party only upon the judicial determination of a court of competent jurisdiction in accordance with due process; and

e) That given the facts and circumstances of this case NEC agrees with the appellants that there was no genuine issue of material fact necessitating trial in this case, but maintained that it is NEC, and not the appellants that is entitled to summary judgment as a matter of law.

On May 26, 2014, the trial judge, His Honour Peter W. Gbenewelleh after hearing arguments on both sides on the motion for summary judgment, entered ruling in favour of the appellee, NEC, thereby revoking the registration and accreditation of the appellants, the 15 political parties. From the ruling of the trial judge, the appellants noted exception and announced an appeal to this Court.

We must say, at this juncture, that this Court considers the prompt hearing and determination of this case essential so as not to hamper the on-going preparation to hold elections for senators in October this year. Thus, for all intents and purposes, we consider this case an

election matter, which under the law, we are required to expeditiously hear and determine. This is why we heard and are now deciding this case, notwithstanding that the appeal was taken during this March, 2014 Term of this Court.

The facts and circumstances of this case present two salient issues for our consideration:

1. Whether or not, there is any genuine issue of material fact presented to warrant full trial in this case?
2. If there is no genuine issue of fact to warrant trial, in whose favour should summary judgment be granted, is it NEC; the appellee or the 15 political parties, the appellants?

We shall discuss the issues in the sequential order as presented. Concerning the first issue, whether or not there is any genuine issue of material fact presented to warrant full trial in this case, we say having carefully perused the positions of both the appellee and the appellants, we see no genuine issue of fact in controversy to warrant trial in this case. The statute provides that the "Court shall grant summary judgment if it is satisfied that there is no genuine issue as to any material fact and that the party in whose favour judgment is rendered is entitled to it as a matter of law. Section 11.3 (3), 1LCL Rev., Civil Procedure Law.

Summary judgment is a means for the prompt disposition of a controversy without a formal trial. Summary judgment promotes the search for undisputed material facts that can be applied in the judicial decision making process. The purpose of summary judgment is to eliminate trial in cases in which it is unnecessary and would only cause delay and expense. It is a useful device for unmasking frivolous claims and defences and putting an end to meritless litigation. 73 AM JUR 2d, Section 1, Summary Judgment.

The parties in this case do not disagree that there are no material facts in dispute to warrant trial. By virtue of their motion for summary judgment now under consideration, certainly the appellants agree that there is no reason for full trial. And the appellee, NEC also agrees. In its resistance to the motion for summary judgment spread on the minutes of the trial court, NEC conceded that there was no genuine issue of material fact necessitating trial in this case, but maintained that it is NEC and not the appellants that is entitled to summary judgment as a matter of law. So we will not belabour this point.

The second and contentious issue is, in whose favour should summary judgment be granted, is it NEC, the appellee or the 15 political parties, the appellants?

The appellants contended that the revocation of their certificates of registration is a serious act which is only expressly reserved for situations arising under Article 80(b) of the Constitution; that they (appellants) are entitled to summary judgment as a matter of law because the grounds for the revocation of a political party's certificate of registration as laid out under Article 80(b) of the Constitution have not been alleged in the appellee's petition; that the averment of facts in the petition may be a proper subject for other kinds of legal or equitable remedies but not for the revocation of the registration of the appellants; and that in the absence of legal grounds for the revocation of their certificates of registration, they are entitled to summary judgment as a matter of law.

The appellee, NEC, on the other hand, argued that the violation of the provisions of the Constitution, specifically Article 79(c)(i) which provides that no political party shall function unless it has or it maintains headquarters in the capital city of Liberia and Article 83(d) of the Liberian Constitution which requires all political parties to publish and submit detailed statements of their assets and liabilities to NEC are grave enough to warrant the revocation of the registrations and accreditations of political parties.

The appellee also argued that Article 84 of the Constitution empowers the National Legislature to enact laws that would prescribe the penalties for violation of provisions of the Constitution that falls under Article 83 (d); that consistent with the provision of Article 84 of the Constitution, the National Legislature in 1986 enacted a New Elections Law that provided for Chapter 2, Section 9, subsection (f) which empowers NEC to revoke the registration and accreditation of an existing political party upon the judicial determination by a court of competent jurisdiction in accordance with due process; and that given the facts and circumstances of this case it is NEC, and not the appellants, that is entitled to summary judgment as a matter of law.

To be entitled to summary judgment the facts must be so undisputed that the law will be on the side of the party in whose favour summary judgment is granted. In the case before us, the facts are that the appellee, NEC, filed a petition for the revocation of the registration and accreditation of the appellants on grounds that the appellants failed to file their respective statements of assets and liability with NEC on or before September 1, 2013 as required by Article 83(d) of the Constitution of Liberia; that the appellants also failed to maintain headquarters within the capital of the Republic of Liberia as required by Article 79(c)(i) of the Constitution of Liberia; and further, that the appellants failed to maintain a minimum balance of Ten Thousand United States Dollars (\$10,000.00) or its equivalent in Liberian Dollars in their respective bank accounts, as required by Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates.

The appellants appeared and filed returns which, for reason we have already stated hereinabove, were properly stricken by the trial judge. But judging from the appellants' motion for summary judgment and their brief filed and argued before this Court, they do not deny that they are in violation of the constitutional as well as statutory grounds in connection to the operation of their respective political parties. In other words, the appellants have not denied that they failed to file their respective statements of assets and liability with NEC on or before September 1, 2013; that they failed to maintain headquarters within the capital of the Republic of Liberia; and that they failed to maintain a minimum balance of Ten Thousand United States Dollars (\$10,000.00) or its equivalent in Liberian Dollars in their respective bank accounts. The appellants only contention is that the grounds for revocation of a political party's certificate of registration as laid out under article 80(b) of the Constitution have not been alleged in the petition.

Article 80(b) of the Constitution states:

Parties or organization which retain, organize, train or equip any person or group of persons for the use or display of physical force or coercion in promoting any political objective or interest, or arouse reasonable apprehension that they are so organized, trained, or equipped, shall be denied registration, and if registered, shall have their registration revoked."

The question is, are the conditions stated under Article 80(b) the only grounds for which the registration of a political party may be revoked? We hold no!

Besides Article 80(b) quoted supra, there is Article 79(c)(i) of the Constitution which provides:

No association by whatever name called, shall function as a political party, nor shall any citizen be an independent candidate for election to public office, unless the headquarters of the association or the independent candidate and his organization is situated in the capital of the Republic of Liberia where an association is involved or where an independent candidate seeks election to the office of President or Vice President.

The language of this constitutional provision is clear and unambiguous; it makes it mandatory that as a precondition for the conduct of political activities, a political party or independent candidate vying for the positions of President or Vice President establishes and maintains headquarters in the capital city of Liberia, which is Monrovia, otherwise, that political party or independent candidate shall not function as a political party or independent candidate. We must note here that Article 79 (c)(i) states a specific penalty or punishment for failure to establish and maintain headquarters in the capital city of Liberia, that penalty is for the violating

political party or independent candidate to cease to operate as a political party or independent candidate.

Then, there is Article 83 (d) of the Constitution which provides:

"Every political party shall, on September 1 of each year, and every candidate of such political and every independent candidate shall, not later than thirty days prior to the holding of an election in which he is a candidate, publish and submit statements of assets and liabilities. These shall include the enumeration of sources of funds and other assets, plus lists of expenditures. Where the filing of such statements is made in a election year, every political party and independent shall be required to file with the Elections Commission additional detailed supplementary statements of all funds received and expenditures made by them from the date of filing of the original statements to the date of the elections. Any political party or independent candidate who ceases to function shall publish and submit a final financial statement to the Elections Commission.

It is true that the framers of the Constitution did not provide any specific penalty or punishment for a political party or independent candidate found in violation of Article 83 (d) of the Constitution as was done in the case of (Article 79 (c)(i). However, under Article 84 of the Constitution, the framers of the Constitution empowered the Legislature to prescribe laws to provide penalties for violation of Article 83(d). In keeping with such authority granted, the Legislature, in 1986, enacted a New Elections Law Chapter 2; Section 9, subsections (a),(D and (h) of the New Elections Law provide:

The [National Elections] Commission, as an autonomous agency of Government, independent of any branch of the Government, shall have the following powers and duties:

(a) To administer and enforce all laws relative to the conduct of elections throughout the Republic of Liberia;

(f) To revoke the registration and accreditation of an already legal [political] party only upon the judicial determination of a court of competent jurisdiction, in accordance with due process;

(h) (To) formulate and enforce guidelines controlling the conduct of all elections for elective public offices which guidelines shall not be inconsistent with the provision of the Constitution.

Consistent with the power granted it by the foregoing statute; NEC promulgated Guidelines Relating to the Registration of Political Parties and Independent Candidates. Part II, Chapter IV of the Guidelines provides that each political party shall maintain an updated bank account

with a balance not less than Ten Thousand United States Dollars (US\$10,000.00) or its equivalent in Liberian Dollars." We hold that any violation of Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates quoted above is punishable by revocation of the registration and accreditation of the violating political party. We disagree with the appellants' argument that the requirement imposed by Part II, Chapter IV of the Guidelines Relating to the Registration of political parties and Independent Candidates is a "reckless and capricious" arrogation of power by the appellee, NEC. We do not see Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates promulgated by NEC to be in violation of the Constitution.

We must say that in the matter before us, the appellee, NEC, acted properly within the scope of its authority by seeking judicial determination of the revocation of the registration and accreditation of the appellants. Upon obtaining legal statuses as corporate bodies, the appellants registered with NEC and they were each given franchise to operate as political parties. To prohibit them from operating as political parties and attendant activities because of the violations mentioned herein, NEC must seek judicial determination of the fates of the appellants through due process in order to withdraw the respective franchise granted to each of the appellants to function as a political party. This is exactly what NEC has done. Besides as a regulatory agency authorized by statute to take charge of, formulate and enforce guidelines controlling the conduct of all elections for elective public offices NEC, has the power to take steps to ensure that all laws, statutes, rules, guidelines etc., concerning the conduct of elections and not in conflict with the Constitution are adhered to.

As we have said, it is not in dispute that all of the appellants are in violation of the laws, rules and guidelines relating to the conduct of political parties. The appellants failed to file their respective statements of assets and liability with NEC on or before September 1, 2013 as required by Article 83(d) of the Constitution of Liberia; failed to maintain headquarters within the capital of the Republic of Liberia as required by Article 79(c)(i) of the Constitution of Liberia; and c) failed to maintain a minimum balance of Ten Thousand United States Dollars (\$10,000.00) or its equivalent in Liberian Dollars in their respective bank accounts, as required by Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidate.

The law provides that "if it appears that the opposing, rather than the moving party is entitled to summary judgment, the court may grant such judgment without the necessity of a cross-motion." Section 11.3 (4), 1LCL Rev. Civil Procedure Law. As such, and since as we have already held, that there is no genuine issue as to any material fact to warrant trial, we hold that summary judgment in this case was properly granted in favour of the appellee, NEC.

However, in his ruling granting summary judgment, we note that the trial judge held as follows: The respective registrations and accreditations of the fifteen Respondents, now Movants herein are hereby revoked, nullified, cancelled and set aside, declaring them no longer in existence as political parties. [Emphasis supplied].

The quoted excerpt of the trial judge's ruling especially, the use of the phrase no longer in existence seems to suggest that the appellants' existence as a corporate body and judicial person had been determined. We must therefore make this clarification. The object of the petition for the cancellation of the registration and accreditation of a political party is to withdraw the party's franchise, license or certificate to do political business and no more. The revocation of the registration and accreditation does not affect the existence of a political party as a corporate entity. In other words, the corporate body of the party remains, but it is prohibited from partaking in political activities. A political party, first and foremost, is a corporate entity organized under the law. Chapter II, Section 2.2 (a) of the Associations Law of Liberia grants a corporate entity perpetual existence.

Thus, while NEC has the authority to seek, through a Court of law, the revocation of the registration and accreditation of a political party based on proven violation(s), such revocation of registration and accreditation do not affect the existence of the political party as a corporate entity. The corporate entity remains, though strictly prohibited from participating directly or indirectly in any and all political activities. In our opinion, to do otherwise would be tantamount to the dissolution of the political party as a corporate body. This was not the matter before the trial court, as dissolution of a corporate body is an entirely different matter.

WHEREFORE, and in view of all we have said, we confirm and affirm the ruling of the trial court granting summary judgment in favor of the appellee, NEC and against the appellants, the fifteen political parties the 1st respondent National Vision Party of Liberia, the 3rd respondent, National Union for Democratic Progress (NUDP), the 4th respondent, Citizen Unification Party, the 5th respondent, Freedom Alliance Party, the 6th respondent, Original Congress Party, the 7th respondent, Liberian Empowerment Party, the 8th respondent, Progressive Democratic Party, the 9th respondent, Liberia Destiny Party, the 12th respondent, National Reformation Party, the 13th respondent, National Democratic Party of Liberia, the 14th respondent, Liberia Reconstruction Party, the 15th respondent, National Social Democratic Party of Liberia, the 17th respondent, Liberia Equal Rights Party, the 18th respondent, Majority Party of Liberia and the 19th respondent, Progressive People's Party.

The Clerk of this Court is ordered to send an order to the lower court and to the National Elections Commission mandating them to take appropriate step(s) to enforce the judgment

revoking the registration and accreditation of the appellants. Costs are ruled against the appellants. It is so ordered.

Judgment affirmed.

COUNSELOR JOSEPH N. BLIDI APPEARED FOR THE APPELLEE. COUNSELOR J. LAVELI SUPUWOOD APPEARED FOR THE APPELLANTS.