

The following letter was attached to an email to the honourable Libby Davies on Oct 5, 2014. Her response was received by email on Oct 7 and is included at the end of this document.

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Hon. Ms Davies,

I am writing to you regarding an issue of the fundamental democratic rights of citizens of Canada.

I have recently commenced proceedings in the Supreme Court of British Columbia. My proceedings are relevant to section 3 of the Canadian Charter of Rights and Freedoms, regarding the right to vote in an election of members of a legislative assembly.

I have spent several years of work implementing, demonstrating, and seeking visibility for an *interactive electoral system*. This is a method of electing a representative for a constituency in which each voter has one vote to participate in the selection of a representative, and may cast that vote at any time the voter chooses and change it at any time after that. This allows voters to make more informed decisions, and to always feel enfranchised through their representative.

For a periodically elected legislative assembly, such as the House of Commons or a Provincial Legislature, the right to vote in an election of its members is provided to be exercised on one date chosen by various means, and then there is no means provided to exercise this right for a period of time. During that period of time, it can be said that this right is denied, since a method has been demonstrated by which to make this right available to be exercised at any time.

In several years of observing participants in an interactive electoral system, no demonstrable justification has been presented by any participants or observers as to how it might be considered a reasonable limit in the interests of freedom and democracy to deny the right to vote in an election of members of a legislative assembly for any

period of time. This would mean that the denial of this right is unlawful, according to section 1 of the Canadian Charter of Rights and Freedoms.

Experience with the interactive electoral system has demonstrated without exception that voters that are provided uninterrupted democratic enfranchisement are given extra incentive to become more informed about their electoral choices before making them and also are more resolute in adhering to those choices after they are made. Consequently, this system used on a large scale may be predicted to provide greater stability in the decision making capacity of the legislative assembly, as well as requiring less overall effort from electoral officials charged with maintaining the electoral standings for the candidates.

The Interactive Sovereign Society (ISS) is a society founded in 2010 with a representative legislative assembly whose members are chosen using an interactive electoral system, thus never denying ISS members their section 3 Charter rights. Members of the ISS are never denied their section 3 rights unless laws created by a periodically elected legislative assembly are imposed upon them.

The remedy I am seeking in my case in BC Supreme Court is as follows:

Before any individual, officer, or agent in British Columbia may have, or attempt to have, any laws imposed upon the petitioner that are created by a legislative assembly that denies the right to vote in an election of its members for any period of time, one of three conditions must be met:

1. the individual, officer, or agent must demonstrate to this honourable court why it is justifiable in a free and democratic society to consider it a reasonable limit to deny the right to vote in an election of members of a legislative assembly for any period of time,
2. the individual, officer, or agent must demonstrate to this honourable court that the petitioner has had membership in the Interactive Sovereign Society terminated, either for failure to adhere to its laws or by resignation, or
3. the individual, officer, or agent must demonstrate to this honourable court that the petitioner has displayed a lack of good faith in his allegiance to Her Majesty Elizabeth II, Queen of Canada

My efforts may seem somewhat unappreciative or disrespectful to a person who has dedicated a great deal of effort to representing the democratic wishes of citizens of Canada. I am not intending any disrespect or lack of appreciation. I greatly, personally appreciate what you, Ms Davies, have brought to Canada. I admire and respect you. This is not necessarily about dissatisfaction with the representatives serving Canadians at federal, provincial, or civic levels. This is more about the level of respect that I would hope you agree voters are entitled to. Increasingly, societies are developing more

sophisticated methods of collective decision making. Wouldn't it be nice if Canada kept up. If our decisions have any real importance, then shouldn't some effort be made to evolve our current system past the antiquated roots from which it was derived? Why can we not allow voters to vote when they feel informed and ready? Is it unreasonable to ask for some sort of demonstrable justification as to why the system can't be altered so as not to imply that citizens of Canada can't be trusted to make such decisions based on relevant information as it comes available?

My writing to you was prompted by receiving a pamphlet from you in the mail, as I live in your constituency, and noticing in particular that you state that "human welfare and rights are always [your] priority". My plight is not only one of human rights, but in fact Charter rights guaranteed by law under "principles that recognize the supremacy of God and the rule of law", so I am hoping that you will see my efforts as being worthy of your attention.

Another thing I noticed in your pamphlet was that one of the services your office provides is to "do anything [you] can to help the people of East Vancouver have a stronger voice in Ottawa". I don't imagine it takes a lot of effort to see that proliferating awareness and attention about the interactive electoral system can help *all* people of Canada have a stronger voice in Ottawa, so I believe that the dedicated staff in your office might be willing to learn more about my efforts. I realize that there are a great many involvements taking up the time of your office and your constituency association, and I do not wish to presume to be more important than those other pursuits, but there are some very small things that could be done to assist my efforts which would take very little time and effort on the part of the people that work with you.

I would greatly appreciate an opportunity to visit your office and speak with someone who has read what I have written here and is willing to take some time to look into the matter further and become more informed about it. If the Canadian Charter of Rights and Freedoms is upheld in my proceedings in BC Supreme Court, then the opportunity for conscientious, hard working, dedicated people like you and your supporters will open up to show Canada, and in fact the world, what democracy can really mean when individuals are shown the respect and dignity of being treated as though they are capable of making informed and reasonable decisions, something a periodic electoral deadline grossly fails to accomplish.

To find out more about the Interactive Sovereign Society, you can visit the website at www.issociety.org or else contact me by mail, phone, or email.

I look forward to hearing back from you at your earliest convenience.

Sincerely,

Sam Frank

Dear Sam,

Thanks for your thoughtful letter about an interactive electoral system, that you have brought before the Supreme Court of BC.

I haven't seen information on this system of representation before, so was interested to read about your proposals.

The system by which we elect members of Parliament is far from perfect and should be vastly improved. The first past the post system is not representative of the way people actually vote. You may know the NDP has long advocated for an electoral system based on proportional representation (PR). When voters vote, their vote is counted in a way that is proportional to the aggregate votes for any given party. I am very proud of the fact that the NDP has been a champion of this democratic reform, and has been in the forefront of the campaign for fundamental electoral reform that needs to take place in this country.

I will be interested to see the outcome of your court case and how people respond to your proposal.

I do think that in the immediate sense our best chance for democratic reform is PR - and even then, it requires more education and understanding.

Thanks again for taking the time to write about this issue, and for your supportive words. I very much appreciate the feedback I get from our community of East Van.

Regards,
Libby