

far as these votes are concerned, were as much to blame as the procedure itself, as much as the whole system under which Canadian Forces vote in a parliamentary election. I feel that this judgment would be incomplete if I did not carry the analysis a little further and into that wider realm of the system as a whole. What I have said so far as an *ad hoc* character and deals only with factors existing in this particular instance. Merely to remedy any faults found therein would not be enough.

In approaching that task I feel to a greater degree the diffidence I have above described. I am sensible of the fact that the Rules which I am examining have already and repeatedly been examined by others better qualified, through greater experience and knowledge of practical considerations than I, or any other outsider, can be to decide whether or not they sufficiently meet any particular situation or problem. Where some Rule may on the face of it appear faulty or questionable, an explanation and justification may well be found in some fact or circumstance of which the critic is ignorant or has only an imperfect knowledge. I shall therefore endeavour to confine my own criticism as far as possible to what might be called general principles, which are abstract in their nature. Happily, it will be found that these crystallise down into very small compass.

Quite the most important of these principles are those applied to the safeguarding of the secrecy of the ballot, the necessity for which, in any democratic society, calls for no explanation. But the assumption upon which rules for this safeguarding are based must not be forgotten, though it often is. That is, that the vote in question has been a proper, valid and effective one. Where that is not the case, where for one reason or another the ballot is a bad one, simple logic moves in the opposite direction. Not merely does the voter in such case not deserve to remain anonymous but there may be several good reasons why his identity should be discovered, and even, it might be, disclosed.

Both these, superficially conflicting, ends are met in all free states by much the same kind of device, which long experience has shown to work satisfactorily. It assures the secrecy of a vote in all cases, but, where in any one case a compelling reason arises, the ballot paper can be identified and traced to the voter. This is done by the use of the register, or voters list, the ballot paper proper and the counterfoil, combined in a certain way. The several concomitants in the process are set out clearly in the Canada Elections Act where it treats of the normal voting by civilians. But in the Schedule containing the rules for service voting (on effect a statute within a statute) we find a departure so astonishing as to be almost incredible. If the ballot paper used by civilian voter and illustrated in forms 35, 37 and 38 of the Act is compared with the specimen in form 10 of the Forces Rules, it will at once be seen that the former bears a number in the ballot which is repeated on the counterfoil, whereas the latter bears no number at all, and there is no counterfoil. The service ballot is completely unidentifiable. I have for my own part carefully searched the Rules for an explanation of this startling difference, but can find none. The only one that I can conceive is that those who framed the Rules, and the Parliaments who approved them, thought that service men deserved a greater measure of protection, if that is the right word, than civilians. No thought seems to have been given to the possibility that any service vote should be wrongly cast, or to the effect which a bad and untraceable vote might have upon thousands of others properly cast and counted. It is with this latter situation that we are confronted, and I have already indicated how devastating the