

in the success of their endeavours for the advancement of peace to be willing to jeopardize the ultimate accomplishment of their purpose by incurring unnecessary risk of disagreement with the other Powers concerned, and I have no doubt that your Government will be entirely agreeable to joining with the Government of the United States and the Governments of the other Powers concerned for the purpose of reaching a preliminary agreement as to the language to be used in the proposed treaty, thus obviating all danger of confronting the other Powers with a definitive treaty unacceptable to them. As indicated below, the Government of the United States would be pleased if the Government of France would agree that the draft treaty submitted by M. Briand last June should be made the basis of such preliminary discussions.

In the second place, and this point is closely related to what goes before, M. Briand's reply of the 5th January, 1928, in expressing the willingness of the Government of France to join with the Government of the United States in proposing a multilateral treaty for the renunciation of war, apparently contemplates that the scope of such treaty should be limited to wars of aggression. The form of treaty which your Government submitted to me last June, which was the subject of my note of the 28th December, 1927, contained no such qualification or limitation. On the contrary, it provided unequivocally for the renunciation by the high contracting parties of all war as an instrument of national policy, in the following terms:—

“ARTICLE 1.

“The high contracting Powers solemnly declare, in the name of the French people and the people of the United States of America, that they condemn recourse to war and renounce it respectively as an instrument of their national policy towards each other.

“ARTICLE 2.

“The settlement or the solution of all disputes or conflicts, of whatever nature or of whatever origin they may be, which may arise between France and the United States of America, shall never be sought by either side except by pacific means.”

I am not informed of the reasons which have led your Government to suggest this modification of its original proposal, but I earnestly hope that it is of no particular significance and that it is not to be taken as an indication that the Government of France will find itself unable to join with the Government of the United States in proposing, as suggested above, that the original formula submitted by M. Briand, which envisaged the unqualified renunciation of all war as an instrument of national policy, be made the subject of preliminary discussions with the other Great Powers for the purpose of reaching a tentative agreement as to the language to be used in the proposed treaty.

If your Government is agreeable to the plan outlined above and is willing that further discussions of the terms of the proposed multilateral treaty be based upon the original proposal submitted to me by M. Briand last June, I have the honour to suggest that the Government of France join with the Government of the United States in a communication to the British, German, Italian and Japanese Governments transmitting the text of M. Briand's original proposal and copies of the subsequent correspondence between the Governments of France and the United States for their consideration and comment, it being understood, of course, that these preliminary discussions would in no way commit any of the participating Governments pending the conclusion of a definitive treaty.

Accept, &c.,

FRANK B. KELLOGG.

(IV.)

To the foregoing the French Ambassador replied as follows:—

MR. SECRETARY OF STATE,

21st January, 1928.

Your Excellency was pleased to inform me, in your note of the 11th instant, of the consideration suggested to you by my letter of the 5th January in answer to your communication of the 28th December, 1927. My Government has asked me to express to you its satisfaction at the harmonizing, thanks to Your Excellency, of the views of the two Governments concerning the best method of accomplishing a project upon the essential principles of which they apparently are in agreement.

The original French proposal of June, 1927, contemplating an act confined to France and the United States, appeared to the French Government to be both desirable and feasible by reason of the historical relations between the two Republics.

The American Government was only willing, however, to embody the declaration proposed by the French Government in the preamble of the Franco-American Arbitration Convention now in process of renewal, and considered, on the other hand, for reasons of its own which the French Government has not failed to take into account, that it would be opportune to broaden this manifestation against war, and to make it the subject of a separate act in which the other Powers would be invited to participate.

The Government of the Republic was not opposed to this expansion of its original plan, but it could not but realize, and it felt bound to point out, that the new negotiation as proposed would be more complex and likely to meet with various difficulties.

The question as to whether there would be any advantage in having such an instrument, of a multipartite nature, signed, in the first place, by France and the United States, or else first elaborated by certain of the principal Powers of the world, and then presented to all for their signature, is essentially one of procedure.