

May 13, 1999

Dear Mr. Katich,

Ref.: *Your letter entitled **A REQUIEM TO "WE THE PEOPLE"** just received and repeated below.*

I greatly appreciate your human moral and professional conscience.

I see, you are American, and in addition, American lawyer. Therefore, I am surprised to learn that you have not yet discovered that the USA constitutional system and the USA juridical system have been recently essentially destroyed. They cannot exist any more, any more because the person who:

◦ under the oath became the President of the United States of America and simultaneously once more (I say once more, because every citizen in every country is obliged to appreciate and follow the country Constitution) pledged to obey the USA Constitution, even more to defend it as well as the USA constitutional system and the USA juridical system,

◦ under the oath in the Court lied the Judge and the Court, hence the whole USA people as concluded by the USA House of Representatives,

has safely stayed and continued to be the President of the United States of America!

I write this to you because I wrote to Mr. William Jefferson Clinton, Jr., the relevant President of the United States of America, to resign in time (see the attachment and below in the e-mail).

The USA Senate did not have sufficient majority appreciation of the USA Constitution and sufficient majority feeling of the obligation to care their own oaths to the USA people and their promises and pledges to their voters so that the Senate did not decide for Mr. William Jefferson Clinton, Jr. to be dismissed.

As a consequence, every American may lie in the Court, every future President of the USA may lie American Court and American people, hence the whole humankind.

What can the Free World expect of such an USA President and USA Senate?

You, lawyers of the USA, how were you engaged to defend the USA Constitution, the USA constitutional system and the USA Juridical system? I did not follow that, but you know the reply.

I have written:

"They cannot exist any more..."

for the following two reasons:

- 1) the only way to re-establish the USA Constitutional system and the USA Juridical system is either that Mr. Jefferson Clinton, Jr. resigns or that an eligible USA Institution dismisses Mr. William Jefferson Clinton, Jr. from the position of the President of the United States of America for his lie in the USA Court, and
- 2) because either of them seems to me impossible since the impeachment process is over.

Therefore, as a consequence, Mr. William Jefferson Clinton's ignorance of the NATO Statute, the Charter of the OUN, the International Law and the Danube Convention should not be any surprise to anybody, in particular not to the USA lawyers.

I will airmail this to you tomorrow (today is a holiday here, in France). However, I am e-mailing this also to Mr. William Jefferson Clinton, Jr., members of the USA Congress, and to many other persons. Since their number is big, I will e-mail this to all of them under "Bcc:".

Sincerely yours,
Lyubomir T. Gruyitch, D. Sc., D. H. C.
University Professor
1, rue Marcel Paull, 90000 Belfort, France

Mr.

Professor Lyubomir T. GRUYITCH*
Dipl. M. Eng., M. Sc. El. Eng., D. Sc., D. H. C.

Belfort, December 20, 1998

Mr.

William CLINTON, Honorable President of the U. S. A.
White House
Washington D. C.
U. S. A.

Dear Mister President Clinton,

Please be so kind to read this *open personal* letter to you.

This is *personal* letter to you for the following reasons:

- What you as the President of the United States of America and the U. S. A. Government under your leadership have been doing by intervening in the internal affairs in my broader native country Yugoslavia and in my closer native land Serbia it has been essentially influencing my life and lives of my close and wide family.
- Moreover, you and the U. S. A. Government under your leadership forcefully intervene in the internal affairs in Serbia in spite of the referendum of the people of Serbia not to accept foreign interventions in resolving the internal political problems.

This is *open* letter because your U. S. A. Presidency and your secular Presidential leadership have been crucially influencing lives and future not only of American people among who I have lovely friends, but also lives and future of my native Serbian people, of all Yugoslav peoples, of peoples and nations all over the World.

It was announced here in France yesterday that the House of Representatives of the U. S. A. verified, concluded and declared that ***you, Mr. President Clinton, are guilty for lying under the oath in the Court.***

Your message that you will not resign as the President of the U. S. A., that you are determined to continue functioning and acting as the President has been transmitted here to the people.

This makes impression that you think you can continue equally well as so far as the President of the U. S. A. because you think you are the same person as you were six and two years ago when you were elected and re-elected the President.

I can understand that you for yourself are the same person. You have known what you have been doing. You have been aware of all your attitudes and actions. You have been doing conscientiously; you have been acting conscientiously. ***You lied conscientiously under the oath in the Court during your U. S. A. Presidential term!*** You have known all that, you have known yourself. Therefore, you can think you are the same person to others as you are to yourself, the same person to other people as you were six or two years ago. Then you gained the trust and respect of American people and their friends.

*

Address: 1, rue Marcel Paul, 90000 Belfort, France.

Dear Mr. President Clinton, you are not the same person and you cannot ever again be the same person to other people as you were six and two years ago. At that time, people respected you and trusted you as truthful, democratic person, devoted to the goodness not only for yourself, for your family and your political party – the Democratic Party of the U. S. A., but also, even more for the whole American people, as well as for democratic honest people around the World.

Unfortunately, ***lying under the oath in the Court during your U. S. A. Presidential term*** you showed the other real side of who you are, what is your personal character, how you really appreciate the American juristic system, American national moral, American devotion to fairness and brevity. ***You proved in the Court of the United States of America during your Presidential term that you use the lie in order to achieve your goal, to satisfy your interest, to defend yourself, to justify your behavior.***

The usage of the lie created an unbelievable and unjustifiable propaganda demonizing one small-numbered nation and every its member – my dear native Serbian nation. In this connection I wrote you several times:

On April 19, 1993 I presented to you the fact that
Serbs did not start the war in Yugoslavia in general and did not start it in Bosnia and Herzegovina in particular
and I kindly asked you for your favor to explain in public what was the reason for your different treatment of Serbian people relative to other Yugoslav peoples. Then, I sent to you a copy of my Appeal of July 6, 1991, and of a letter of June 16, 1992, to Mr. President BUSH. In the former there was the appeal for a pacific resolution of the political crisis in (S. F. R.) Yugoslavia. In the latter there was also emphasized that:
...neither the United States of America nor any other country has the moral right to military attack Serbia and/or any other part of Yugoslavia, which means no moral right to attack babies, pupils, my mother, my sisters, my brother-in-law, my nephews, my relatives, my friends, students, workers, peasants, employees, artists, professors, old people, no moral right to attack innocent people of Serbia and/or of any part of Yugoslavia, their properties and lands.
Killing conscientiously innocent people is the most difficult crime that a person or people can do.
The war tragedy has become already so huge and deep that generations of Yugoslav nations will seriously suffer for it. Can you hear cries of children and people in Serbian Krayina, Serbian Slavoniya, Bosnia and Herzegovina?
The rivers of Serbian blood would then make the ground red of shame. They would not bring happiness to anybody. Nobody could breathe the air full of cries of dying innocent children.
and:
I kindly ask again a favor of you to apply all p e a c e f u l means in order to stop the war and tragedy in Yugoslavia...

On August 30, 1993 I wrote to you that:
The United States of America and its Government do not have any moral right to torture innocent people of Serbia and Montenegro at least, but not only, because my appeal of 6 July 1991 repeated June 1992 and sent to you 1993, has been ignored.
and
The problems in Yugoslavia will be best solved by Yugoslav people themselves in the peace and freedom and not by sanctioning a part (!!!) of Yugoslavia and the innocent people or by bombing them.

On March 12, 1998 Professor Radomir Askovic (France) and I wrote to you:
You are not only very actively involved in the destiny of our families and friends, of our former students, of our native land, of our native people as well as of other people living together with them, but also the most competent for both the international attitude to what has been there happening and decisions on various relevant international actions.

On October 23, 1998 Mr. Dragic V. Vukomanovic (Canada), Mr. Aleksandar Tomovic (USA) and I appealed* to you:

...to stop the unbelievable unjustifiable propaganda against Serbian people, the military pressure on and sanctions against the people of Serbia, and to enable the people of Serbia to resolve the situation freely, peacefully and democratically.

Instead of appreciating the truth about Serbian people and to present it to American people, you were unjustifiably accusing Serbian people for aggression in their own Fatherland and used untruthful arguments to order bombing of innocent Serbian people in the Republic Serbian. American people believed you. They could not imagine at that time that you as their President could lie them.

Instead of helping Serbian people to resolve complex problems in their Fatherland Serbia, you have been imposing sanctions and ultimatum to bombard our native land.

These are some reasons for which I have taken the liberty to write to you as a foreigner on the matter that seems exclusively internal U. S. A. affair at the first glance. However, ***the fact that you lied under the oath in the U. S. A. Court during your Presidential term as a mean to achieve your goal explains that you do not hesitate to use an untruthful argument which you did by accusing the Serbian nation in the whole for aggression, hence me.*** This has set all Serbian people in a situation to be exposed to unjustifiable irony and ignorance everywhere by those who relied on your accusation.

However, there are also other strong reasons to write this letter to you.

The *Founding Fathers* of the United States of America established the social and state fundaments for a free, honest, democratic life of the citizens and residents of the U. S. A. and for such a leadership and support to other peoples. The United States of America have become the leader of the free world. The United States of America have become a hope for those living under non-democratic regimes, for those living in non-free societies. The trusted fairness of American people has been a moral support to honest people everywhere. The objectiveness, fairness, justice of the U. S. A. juristic system, procedures and judgements have been considered as advanced achievements of the American civilization. Keystones for them are *fairness and truthfulness of every American at least under the oath and in particular in the Court*. By announcing that you will not resign as the President of the U. S. A. you essentially state that ***a person who is the President may lie under the oath in the Court, may in the sense that the person should rest the President!*** Such an attitude is destroying American spirit legitimized by the Founding Fathers. Your continuation as the President would destroy the juristic, legal, legitimate system of the U. S. A. It will be the sign, reference and support to others to lie under the oath without undergoing adequate consequences. It will open a new epoch of great suffering everywhere, in particular in the U. S. A.

Your declaration of your decision to continue as the President of the U. S. A. shows also the following:

- You prefer to keep the White House position for you in spite it divides American people rather than to resign in order to help Americans and the States to overcome the very embarrassing situation (created exclusively by you) and to help them avoiding its unpredictable consequences.
- You prefer to force, by faithfulness to you, your party colleagues - the members of the Democratic Party to support you, rather than to relax them of facing themselves with their conscience. What is a difference between you and the leaders of communistic parties in non-free societies? I do not see anyone from this point of view.
- You have created an impression that you think Mr. Al GORE, the Vice-President of the U. S. A., who is also a member of the Democratic Party, cannot be not only better President than you, but that he cannot be as good President of the U. S. A. as you have been. Such an attitude is wrong. Why? Because ***you, Mr. President Clinton, are not the same person as you were before lying under the oath in the Court of the United States of America.*** Evidently, if you resigned the Democratic Party would have its member for the President of the U. S. A. I believe that Mr. Al GORE would be very good President of the U. S. A. in the spirit of the Founding Fathers and American Constitution.

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- Mr. Radenko Ristic (Sweden, December 9, 1998), Mr. Marko Miljkovic (U. S. A., December 16, 1998) and Mr. Milan Pavlovic (U. S. A., December 17, 1998) signed also the Appeal via e-mail.

- It seems that you think that your continuation as the President of the U. S. A. will not have important negative international consequences to the States. Or, you do not mind them relative to your staying in the White House? ***By lying under the oath in the Court you, Mr. President Clinton, have lost the moral credibility you had before.*** As the President of the U. S. A. you represent all the Americans. Such a representation has become fundamentally different since that event.
- It seems that you, Mr. President Clinton think that people can rely on your statements in present and in future. What would be a reason for such a faith to you not only in the United States of America but also abroad?
- It seems that you prefer to accept a possibility, which appears unlikely according to the reports on your behavior, for the President of the United States of America to be dismissed by the U. S. A. legal and legitimate institutions rather than that you resign. Such a preference reflects an eager to be the President under all means and conditions despite it degrades fundamentally the reputation, the role and the dignity of the institution of the President of the U. S. A. What is then a difference between you and many strongmen in communistic countries? I do not see anyone from this point of view.
- You prefer to continue next two years as the President rather than to resign before the Senate meeting despite after two years you will be completely the person who you are without the power and authority of the U. S. A. President. Do you consider your life among many Americans who for formal reasons would have to accept your Presidency if the Senate does not demand your dismissal, not to mention your life if it happens that the Senate does decide to dismiss you? Certainly such a choice is your personal choice, but your conscious choice. Such your choice would show that you have not been ready to help American people, your Democratic Party and the United States of America by resigning as their President.
- You think that by continuing as the President of the United States of America you can be a leader of this World. How is it possible? What personal example do you give to the World? If you were to be followed then Presidents of other countries would have a strong reference for staying as Presidents even they lied under the oaths in the Courts of their countries. What would be then the consequences different than a complete support to all those Presidents who impose themselves over the moral, Law and Constitution in their countries? Then what is a difference between you and dictators from this point of you? I do not see anyone.

Do you really think that lying under the oath in the Court during the Presidential term you did not brake your Presidential oath, as well?

According to the radio and TV news here, you are convinced that you will not be dismissed. The reporters claim that such your evaluation is real. Such a situation is in fact just an opportunity for you, Mr. President Clinton to show that ***you accept the full responsibility for lying under the oath in the Court during the Presidential term so that you resign as the President.*** Your resignation would bring goodness nationally and internationally. Moreover, it will ensure a respect to you in future. Honest people could write to you in future Honorable Mr. William Clinton not because you are Honorable President of the United States of America, but because you made an honorable decision and action.

I have just seen on TV you laughing happily and a priest in a church in a small town in the U. S. A.

I cannot understand why and how you can smile happily when you know that the House of Representatives of the U. S. A. verified, concluded and declared that ***you are guilty for lying under the oath in the Court during the Presidential term!***

I have just heard you stating that you wish to work for the goodness of the American people and the United States of America and that you wish all Americans to gather together, unite together. This has reminded me of several actual dictators demanding their peoples to unite around themselves.

The priest has prayed in a church in an American town for your dismissal. ***He explained to the prayers in the church that your lying under the oath in the Court has been unacceptable.***

How can you freely, democratically unite Americans if you do not resign?

If you wish to understand your compatriots you might wish to go to the priest and the people in the church. They care the American values legitimized by the Founding Fathers whose spirit and souls are certainly with them and those Americans who are agreeing with the priest.

Dear Mr. President Clinton, I have written all this with a hope that you have sufficient personal fairness, brevity and devotion to the American values, people and States, and that you care for honest people in the world, so that **you will prove it by your resignation as the President of the United States of America**. After that I wish all the best to you in your future honest life.

With such a hope,

Respectfully,

Lyubomir T. Gruyitch

At 21:29 12/05/99 -0400, you wrote:

>A REQUIEM TO "WE THE PEOPLE"

>Nick Katich, once proud American Lawyer

>LUCAS, HOLCOMB & MEDREA

>

>The Constitution of the United States of America -- a document we were

>taught to revere -- a document for all seasons -- the supreme law that=

keeps

>us free. Imagine us lawyers when we became lawyers and took our oath to

>preserve, protect and defend that great Constitution. What a wondrous day=

--

>the moment we became the scions and protectors of the greatest bequest of

>our Founding Fathers. Let us dare reflect on how admirably we have met the

>challenge.

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>Our Constitution provides that "This Constitution, and the Laws of the

>United States which shall be made in Pursuance thereof; and all Treaties

>made, or which shall be made, under the Authority of the United States,

>shall be the supreme Law of the Land". Const. Art. VI, Clause 2. And, as

>between regular laws and treaties, we all know that the Constitution is

>above all else. Marbury v. Madison, 1 Cranch 137 (1803).

>

>We also know that the Constitution provides that Congress has the sole=

power

>to declare war. Const. Art. I, Section 8, Clause 11. In the current

>adventure in Yugoslavia, we all know that Congress has not declared war.

>However, contrary to popular belief, the Declaration of War clause is not=

an

>all or nothing proposition. In other words, it grants Congress the sole

>power to direct the President to engage in war-like activities short of a

>total declaration of war. See generally, The Amy Warwick (the so-called

>Prize Cases), 67 U.S. 635 (1862). Although the President is the

>Commander-in-Chief, nothing in the Constitution gives him the power "to

>initiate or declare a war". Id. at 668.

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>>From what Mr. Clinton tells us, and the mass media parrots, the present
>action against Yugoslavia had Congressional approval. Or did it? Although
>Senate Concurrent Resolution 21, dated March 23, 1999, authorized the
>present "air operations and missile strikes", no similar resolution was
>adopted by the House of Representatives. The House Concurrent Resolution=
42,
>dated March 11, 1999, was limited to deploying "United States Armed Forces
>personnel to Kosovo as part of a NATO peacekeeping operation implementing a
>Kosovo peace agreement". There is no peace agreement to implement.
>Therefore, the current aggression against Yugoslavia is not authorized by
>the super-supreme Law of the Land -- the Constitution itself. Nor by any
>other Congressional action, I might add. Might I dare suggest to my
>lawyer-brethren that Mr. Clinton is unfaithfully executing the supreme Law
>of the Land.

>

>Well, what about Treaties? We all know that they too are part of the=
Supreme
>Law of the Land. Or, do we? Read, Const. Art. VI, Clause 2. It may come as=
a
>surprise to some, but not to all, that the United Nations Charter is a
>treaty of the United States. 59 Stat. 1031. So is the NATO Treaty. Both
>became the Supreme Law of the Land when they were entered into by the
>President with the advice and consent of the Senate. Reread again, Const.
>Art. VI, Clause 2.

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>The United Nations Charter provides that all member states (including the
>United States) "shall refrain in their international relations from the
>threat or use of force against the territorial integrity or political
>independence of any state". U.N. Charter, Article 2, Section 4. There are
>ONLY two exceptions: a state may defend itself against attack (U.N.=
Charter,
>Article 51) or may use force if authorized by the United Nations Security
>Council (U.N. Charter, Article 2, Section 4). Believe it or not, Yugoslavia
>has not attacked the United States or any other NATO country. However, has
>the Security Council authorized the current adventure? There are only three
>Security Council resolutions on the subject of Kosovo -- Resolution 1160
>(dated March 31, 1998), Resolution 1199 (dated September 23, 1998), and
>Resolution 1203 (dated October 24, 1998). None of them authorize military
>action against Yugoslavia by the United States, NATO or anyone else. Since
>the United Nations Charter is also the Supreme Law of the Land, and since
>the military action against Yugoslavia is not authorized by the United
>Nations Charter or by the Security Council, the present military operation
>against Yugoslavia is in direct violation of the Supreme Law of the Land.

>

>What about the NATO Alliance which is behind all of this? The NATO Treaty=
is
>also a treaty of the United States. Therefore, it is also the Supreme Law=
of
>the Land. Please, really reread again, Const. Art. VI, Clause 2. That=
treaty
>provides that an attack on one is an attack on all. NATO Treaty, Article 5.
>Short of an attack on a member of NATO, the treaty provides that all NATO
>countries shall conduct their foreign relations and resolve their
>international disputes by "peaceful means" and all, including the United
>States, agreed to "refrain in their international relations from the threat
>or use of force in any manner inconsistent with the purposes of the United
>Nations". NATO Treaty, Article 1. Since the military action against
>Yugoslavia violates the explicit terms of the NATO Treaty, Mr. Clinton,=

once

>again is unfaithfully executing the supreme Law of the Land.

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>However, to weasel out of this legal (illegal?) dilemma, President Clinton
>now says, during the 50th Anniversary of NATO, that its mission has been
>"redefined". What does that mean? Is he saying that the NATO Treaty has=

been
>amended? Does that not require the advice and consent of the Senate? See
>Const. Article II, Section 2, Clause 2. That has certainly not been done.
>Mr. Clinton's redefinition of NATO also violates the supreme Law of the
>Land.

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>The moral, constitutional imperative of all of this is that the present
>military adventure by the Imperial Presidency against Yugoslavia is illegal
>and unconstitutional. But, where are the lawyers. There ought to be=

lawyers.
>The lawyers should be vocal: "Our Constitution is being blatantly violated;
>our Constitution is sacrosanct; the violation must STOP". Where are the
>scions and protectors of our the Constitution -- of our liberty. The=

SILENCE
>IS DEAFENING. "Arise 'O Scions of Liberty, Arise! The mother-lode of=

Liberty
>is being buried before your very eyes!"

>

>Dare not justify unconstitutionalism with platitudes about moral
>imperatives. Our moral imperative as lawyers is to uphold the Constitution.
>Don't tell me of the moral imperative of so-called ethnic cleansing. Where
>were the American lawyers when the beautiful people -- the Native
>Americans -- were ethnically cleansed by the United States? Where were the
>lawyers when 350,000 civilian Serbs were ethnically cleansed from Krajina
>and Western Bosnia in 1995 while American Generals directed the battle
>attack and NATO flew air cover for Croatia? Where are the lawyers lamenting
>the 400,000 Tamil refugees and the 40,000 Tamil dead in Sri Lanka in the
>last three years? Where are the lawyers lamenting the 250,000 dead Kurds of
>the last several years? Where were the lawyers to lament the countless dead
>of Rhawanda and Somalia? And, where were the lawyers when our wonderful
>Delta Force fired into a civilian crowd in 1993 in Mogadishu killing over
>500 women and children. Are they less human or less dead because of the
>color of their skin? WHERE THE HELL IS YOUR OUTRAGE AT ALL OF THIS. Or are
>the Serbs more devilish for believing in the rule of international law, the
>concept of sovereignty, and refusing to succumb to terrorism by Albright's
>ultimatums and Clinton's threats of bombing?

>

>American lawyers: Our government's actions are illegal and=

unconstitutional.
>You took an oath to preserve and defend the Constitution. Where the hell=

are
>you and where are your voices of outrage against unconstitutional acts. Has
>Clinton also seduced all of you? If he has and if you don't care, then=

let's
>all sing a Requiem Hymn to the Constitution and to ourselves. Proudly sing
>the words of Stephen Sondheim:

>

> "Don't you love farce? My fault I fear. I thought that you'd want what=

I
>want, sorry my dear.

> But where are the clowns? Quick, send in the clowns. Don't bother, [us
>lawyers] are here!"

>

>Nick Katich

>LUCAS, HOLCOMB & MEDREA
>300 East 90th Drive
>Merrillville, Indiana 46410
>219-769-3561 Ext. 117

