

# Bush versus Chavez

By [Stephen Lendman](#)

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Imagine the following – the nation Martin Luther King called “The Greatest Purveyor of Violence in the World Today” may brand democratic Venezuela a state sponsor of terrorism if extremist lawmakers on the Hill get their way.

On March 12, George Bush accused Hugo Chavez of backing Colombian-based “terrorists” and using Venezuela’s oil wealth for an anti-American campaign. He further claimed Chavez has a “thirst for power....of squander(ing his country’s) oil wealth....of prais(ing a) terrorist leader as a good revolutionary and order(ing) his troops to the Colombian border. This is the latest step in a disturbing pattern of provocative behavior by the regime in Caracas. He has also called for FARC terrorists to be recognized as a legitimate army (and his) senior regime officials have met with FARC leaders in Venezuela.”

At the same time, 21 extremist lawmakers want Venezuela named a state sponsor of terrorism and added to the State Department’s list of five others for “repeatedly provid(ing) support for acts of international terrorism” under three US laws:

- the Export Administration Act, section 6 (j);
- the Arms Export Control Act, section 40; and
- the Foreign Assistance Act, section 620A.

Countries now listed include – Syria (1979), Cuba (1982), Iran (1984), North Korea (1988), and Sudan (1993). Designation triggers sanctions that “penalize persons and countries engaging in certain trade with state sponsors.”

The US Code Definition of Terrorism

The US Code defines “international terrorism” as follows:

(A) “violent acts or acts dangerous to human life that are a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or of any State;

(B) appear to be intended –

(i) to intimidate or coerce a civilian population;

(ii) to influence the policy of a government by intimidation or coercion; or

(iii) to affect the conduct of a government by mass destruction, assassination, or

kidnapping; and

(C) occur primarily outside the territorial jurisdiction of the United States....”

The US Army Operational Concept for Terrorism (TRADOC Pamphlet No. 525-37, 1984) shortens the definition to be “the calculated use of violence or threat of violence to attain goals that are political, religious, or ideological in nature....through intimidation, coercion, or instilling fear.”

The US Definition of War Crimes – Part I, Chapter 118, Number 2441 of the US Code

(a) “Offense. – Whoever, whether inside or outside the United States, commits a war crime, in any of the circumstances described in subsection (b), shall be fined under this title or imprisoned for life or any term of years, or both, and if death results to the victim, shall also be subject to the penalty of death.

(b) Circumstances. – The circumstances referred to in subsection (a) are that the person committing such war crime or the victim of such war crime is a member of the Armed Forces or a national of the United States (as defined in section 101 of the Immigration and Nationality Act).

(c) Definition. – As used in this section the term “war crime” means any conduct –

(1) defined as a grave breach in any of the international conventions signed at Geneva 12 August 1949, or any protocol to such convention to which the United States is a party;

(2) prohibited by Article 23, 25, 27, or 28 of the Annex to the Hague Convention IV, Respecting the Laws and Customs of War on Land, signed 18 October 1907;

(3) which constitutes a violation of common Article 3 of the international conventions signed at Geneva, 12 August 1949, or any Protocol to such convention to which the United States is a party and which deals with non-international armed conflict; or

(4) of a person who, in relation to an armed conflict and contrary to the provisions of the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended at Geneva on 3 May 1996 (Protocol II as amended on 3 May 1996), when the United States is a party to such Protocol, willfully kills or causes serious injury to civilians.”

Two Hemispheric Neighbors Worlds Apart

Under US terrorism and war crimes statutes as well as by any international standard, the US is a flagrant and serial abuser. The record is hardly disputable in spite of efforts made to sanitize it.

In contrast, Hugo Chavez seeks unity; wants stability; embraces his neighbors; and promotes global solidarity, equality and political, economic and social justice quite mirror opposite to Washington’s conquest and imperial agenda. Unlike America, Venezuela doesn’t attack or threaten other nations. It offers no-strings aid (including low-priced oil to US cities) and mutually beneficial trade and other alliances.

Chavez champions human rights, has no secret prisons, doesn’t practice torture or state-sponsored killings, respects the law and everyone’s rights under it. He’s a true social

democrat in a participatory democracy, and has been elected and reelected overwhelmingly under procedures independently judged open, free and fair. That's what Bolivarianism is about, but try hearing that from Washington or the dominant media using any pretext to vilify it and the man who leads it.

Chavez is a hero in the region and around the world, and that makes him Washington's target. Imagine the Bush administration matching his December 31 gesture or the media reporting it fairly. He granted amnesty to imprisoned 2002 coup plotters, except for those who fled the country. The decree pardoned figures accused in the scheme, who took over state television at the time, who tried to murder him in recent years, and who later sabotaged state oil company PDVSA during the 2002 - 2003 management lockout. He also pardoned 36 other prisoners in a conciliatory measure to turn "the page (and direct the) country....toward peace."

In a post-9/11 environment, here's how Washington rewards him:

- he's relentlessly targeted by measures that so far stop short of disrupting business;
- on December 11, three Venezuelans and one Uruguayan were arrested and charged in US federal court with acting and conspiring as agents of the Venezuelan government without having notified the US Attorney General; they were accused of conspiring to conceal the source, destination and role of the Venezuelan government to deliver \$800,000 to Argentina with a US businessman as conduit;
- on November, 2007, by conspiring with Colombia to halt mediation efforts with the FARC-EP for the release of 45 hostages at the time, including three US contractors;
- for repeatedly denying Venezuela's extradition request for Luis Posada Carriles who's wanted for outstanding crimes and in spite of a legally-binding extradition treaty between the countries dating since 1923;
- on November 5, for approving H. Res. 435 EH (by voice vote) condemning Iran as the "most active state sponsor of terrorism;" it also targeted Venezuela with examples of relations between the two countries that are hostile to Washington;
- on September 14, 2007, citing Venezuela for the third consecutive year for failing to observe international counternarcotics agreements;
- on June 21, for approving representative Connie Mack's H. Amdt. to H.R. 2764 to direct \$10 million for propaganda broadcasting into Venezuela;
- on June 12, the State Department targeted Venezuela in its annual Trafficking in Persons Report that placed the country in Tier 3 status for not making adequate efforts to combat trafficking in persons;
- on May 24, for unanimously approving S. Res. 211 condemning Venezuela's disregard for free expression for not renewing (one of) RCTV's operating licenses;
- on May 14, for the second consecutive year, condemning Venezuela for not fully cooperating in antiterrorism efforts; other nations listed were Cuba, Iran, North Korea and Syria;

- on April 30, the State Department condemned Venezuela for being unwilling to prevent the country's territory from being used as a safe haven by Colombian "terrorist groups;"
- on March 6, the State Department cited Venezuela's human rights situation showed "politicization of the judiciary, harassment of the media, and harassment of the political opposition;"
- on March 1, the State Department condemned Venezuela for being one of the principal hemispheric drug transit countries because of its location, rampant high-level corruption, weak judicial system, and lack of international counternarcotics cooperation;
- on February 7, Secretary Rice accused Chavez of "assault(ing) democracy in Venezuela (and) destroying his own country economically (and) politically;" and
- on January 11, National Intelligence Director (and serial killer) John Negroponte accused Chavez of being "among the most stridently anti-American leaders anywhere in the world (whose) try(ing) to undercut US influence in Venezuela, in the rest of Latin America, and elsewhere internationally;" he also said his military purchases were threatening his neighbors and could fuel a regional arms race.

The above examples only covered 2007 with many comparable and more extreme ones in earlier years. Excluded as well are continuing covert actions with open-checkbook funding to destabilize and topple the Chavez government. One of them is what Latin American expert James Petras mentions in his March 12 article on the FARC-EP and "The Cost of Unilateral Humanitarian Initiatives." He explains that Chavez's diplomatic rapprochement with Uribe won't halt "large-scale (Columbian) paramilitary (infiltration into) Venezuela (that) destabiliz(e) the country" because Washington wants it continued.

So far, actions have stopped short of disrupting business, but anything is possible before January 2009 or thereafter. Washington fears Chavismo's good example. It's strengthening, spreading and creating angst in American hard right circles and for Democrats as well.

### Charges and Countercharges

The March 13 Wall Street Journal reported that US intelligence officials have been examining "computer files (claimed to have been) seized from (FARC-EP) guerrillas earlier this month by Colombian commandos." The Uribe government (with no supportive evidence) says they show Chavez "was in contact with the rebels and plann(ed) to give them \$300 million. If true, that could open Venezuela to US sanctions," but Washington will likely use lesser measures instead.

White House National Security Council spokesman Gordon Johndroe gave no indication either way in stating: "Our intelligence agencies are looking at the material acquired....and we will see where that lands." Assistant Secretary of State for Western Hemisphere Affairs Thomas Shannon said: "Declaring somebody a state sponsor of terrorism is a big step, a serious step. It's one that we will only take after very careful consideration of all the evidence." For her part, Secretary Rice was true to form adding: "it is an obligation of every member of the United Nations...not to support terrorists."

There was more as well from an unidentified senior US official who said government lawyers were asked to clarify "what goes into effect in terms of prohibitions or prohibited activities" when a "state sponsor" designation is made. He added that if Washington accepts the

computer documents as valid, then “I think it will beg the question of whether or not Venezuela, given Chavez’s interactions with the FARC, has....crossed the threshold of state sponsor of terror.”

Former State Department arms trafficking expert, James Lewis, explained further. He said “state sponsor” (designation) immediately imposes (restrictions) on the abilities of US companies to work in” the country. They’ll be “forbidden from operating there, forbidden from receiving any money from Venezuela. It would make it very hard for Venezuela to sell oil to the US. All the arrangements we have now where Venezuelan oil is routinely sent to the United States would have to stop.” Lewis stopped short of speculating this will happen, but his tone suggests it’s unlikely. Corporate interests would also balk because business in Venezuela is booming, so are profits, and at a time companies are struggling for every source they can get.

That wasn’t on Mary Anastasia O’Grady’s mind in her March 10 Wall Street Journal column. She was all venom and agitprop in her commentary on “The FARC Files – Four presidents (Chavez, Correa, Morales and Ortega), four best friends of terrorists.” She claimed laptop documents “show that Mr. Chavez and (FARC-EP leader) Reyes were not only ideological comrades, but also business partners and political allies in the effort to wrest power from Mr. Uribe.” She also attacked the FARC-EP with a menu of charges, including efforts to buy 50 kilos of uranium for a possible dirty bomb and a (mysterious) letter explaining “terrorist efforts to acquire missiles from Lebanon.” And she jumped on four regional leaders for “support(ing) FARC violence and treachery against Mr. Uribe.”

On the same page, a Journal editorial referred to the “Venezuelan strongman” and “Chavez Democrats” who help “our enemy by spurning our best Latin ally,” and it “isn’t the first time Democrats have (done it), but it would be the most destructive.” The reference is to the Colombia (US) Free Trade Agreement. It’s stalled in Congress and likely dead this session with Democrats not wanting to touch it in an election year – unless they can cut a deal with the administration for something they want.

The Journal blasts them and Jimmy Carter, too, for blessing Chavez’s 2004 electoral victory. It then claimed Democrats “oppose the deal on grounds that Mr. Uribe has not done more to protect ‘trade unionists.’ In fact, Mr. Uribe has done more to reduce violence in Colombia than any modern leader in Bogota. The real question for Democrats is whether they’re going to choose Colombia – or Hugo Chavez.” And the beat goes on with 10 more months under George Bush for it to boil over and plenty of media support heating things up.

In the face of criticism, Caracas wasn’t quiet. Reaction was swift with Venezuela’s OAS representative, Jorge Valero, calling the administration “the terrorist government par excellence....an aberration, an absolutely stupid thing to say (by a government in Washington) that practices state terrorism, that has invaded Iraq and Afghanistan without respect for international law, that commits genocidal practices (around) the world, that has invaded Latin American and Caribbean countries, that aims to present itself as the moral conscience of the world.”

Venezuela’s Information Minister, Andres Izarra, added that US officials are considering measures against Venezuela because “they are searching for new ways to attack....and move forward with their plan to finish with the Bolivarian Revolution.”

In a March 14 televised speech, Hugo Chavez dared the Bush administration to designate

Venezuela a state sponsor of terrorism. He said doing it is Washington's response to the country's success and added: "We shouldn't forget for an instant that we're in a battle against North American imperialism and that they have classified us as enemies – at least in this continent they have us as enemy No. 1." Their "imperial plan is to overthrow this government and knock down the Bolivarian Revolution. They're afraid of (its impact in) Latin America" (and, indeed, he's right).

As for allegedly paying \$300 million to the FARC-EP, the Venezuelan government denounced the claim as an "exercise in falsification (and added) that the only foreign government that finances the conflict in Colombia is the United States." Caracas also affirms that its only guerrilla contacts were for hostage releases with key peace interlocutor Reyes now dead because of Colombia's (made in USA) incursion.

Other countries have also negotiated, including France, Ecuador and the US as recently declassified documents show. In 1998, Philip Chicola, State Department Office of Andean Affairs director, met secretly in Costa Rica with FARC-EP leaders Reyes and Olga Marin after Secretary of State Albright designated the group a Foreign Terrorist Organization (FTO) in 1997.

In the end, where will this lead with views on that score mixed. Venezuela is America's third or fourth largest oil supplier, the price of crude now tops \$100 a barrel, and the Wall Street Journal suggests measures far short of cutting off a vital supply source are likely. Other analysts agree because ending trade would harm both countries at a time world markets are roiled and the US economy is shaky.

Nonetheless, Republican congressman Connie Mack says Chavez "is using his vast oil wealth to fund terrorism in his own backyard (and it's) critical that the administration now act swiftly and decisively" against him. On March 13, he and Ileana Ros-Lehtinen introduced H. Res.10-49 (with eight co-sponsors) "calling for the Bolivarian Republic of Venezuela to be designated a state sponsor of terrorism" and "condemn(ing) the Venezuelan government for its support of terrorist organizations" with direct reference to the FARC-EP.

Even with support in Congress, this effort won't likely get far according to Venezuelan expert Dan Hellinger. He notes how anti-Chavez forces are capitalizing on events but says "the odds are against them precisely because I think there's probably not much interest in the Congress (overall) in terms of making things worse with Venezuela at the moment." Key State Department diplomats aren't "likely....to want to pour gasoline on the fire" or take any action that may harm the economy in an election year and on an issue that's mainly an administration one – and a lame duck one on the way out.

Michael Shifter of the Inter-American Dialogue went further in suggesting Latin American leaders won't tolerate designating Venezuela a state sponsor of terrorism and "would react very strongly, because of all the political, security, and economic implications."

It remains to be seen what's next, but Chavez knows what he's up against from a rogue administration in Washington with lots of time left to destroy Bolivarianism, oust its main proponent, vaporize Venezuela, and end the republic if that's what it has in mind. Stay tuned for further updates in Bush v. Chavez.

*Global Research Associate Stephen Lendman lives in Chicago and can be reached at [lendmanstephen@sbcglobal.net](mailto:lendmanstephen@sbcglobal.net).*



*Also visit his blog site at [sjlendman.blogspot.com](http://sjlendman.blogspot.com) and listen to The Global Research New Hour on [RepublicBroadcasting.org](http://RepublicBroadcasting.org) Mondays from 11AM – 1PM US Central time for cutting-edge discussions with distinguished guests.*

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#### About the author:

Stephen Lendman lives in Chicago. He can be reached at [lendmanstephen@sbcglobal.net](mailto:lendmanstephen@sbcglobal.net). His new book as editor and contributor is titled "Flashpoint in Ukraine: US Drive for Hegemony Risks WW III."

<http://www.claritypress.com/LendmanIII.html> Visit his blog site at [sjlendman.blogspot.com](http://sjlendman.blogspot.com). Listen to cutting-edge discussions with distinguished guests on the Progressive Radio News Hour on the Progressive Radio Network. It airs three times weekly: live on Sundays at 1PM Central time plus two prerecorded archived programs.

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