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What the Bashir Indictment Means

Palestinians aren't the world's only victims.

By **BERNARD-HENRI LÉVY**

At last. The International Criminal Court (ICC) has issued an arrest warrant for the Sudanese president Omar al-Bashir.

This decision is huge news for his victims and to all of us who, for years, helplessly witnessed the Darfur massacres. It confirms, with all the authority of the law, though without directly accusing Mr. Bashir of genocide, the terrible accusations that weighed on the regime. It stigmatizes, isolates and consequently weakens a state that was not strong except for our weakness, our indifference to the suffering it inflicted, and, ultimately, our cowardice vis-à-vis the power (oil, etc.) we gave it.

As for internal matters, finally, it tips the balance of power against a dictatorship that drew the oxygen necessary for survival from the climate of terror it imposed -- and that will have to, from this point on, deal with the opposition or even relinquish its power. A coup d'état by the army? A coup from within the majority party? A new offensive by the rebel movements that had unwillingly resigned themselves to a cease-fire? Everything is possible after today -- truly everything, with the exception of maintaining the dictatorship in its current state.

Of course, and without a doubt, the first reaction of the accused will be to double down on the saber-rattling, to intensify his operations on the ground, and to threaten the NGOs "complicit" with the judicial decision. But it will just be a combat of honor; the spasm of a fatally wounded political animal who knows his days are numbered. It will certainly not be worse than the total war logic to which I, among others, have been witness -- and which has, already, transformed Darfur into a field of desolation and ruin.

There will undoubtedly be good souls in Europe to cry out that we didn't need to take these people head on, that pushing them into a corner wasn't necessary because, in so doing, we have ruined what remained of the hope for the chance of a negotiated peace. This argument doesn't make sense either; it is even, for those who know a little about the reality of the terrain, obscene. Peace, for Mr. Bashir, has never been anything other than a peace of cinders and cemeteries.

It was never a question for him to envision any kind of peace that didn't involve first obliterating the Darfuris' resistance. If there was a single chance to make peace, it depended, to the contrary, on this support (the ICC's, though late coming) for the last survivors of the massacres.

Finally, as for the argument of those who see the decision of the ICC as neocolonial interference, and who think that it is up to the Africans to sort out this African tragedy -- this brings to mind so many bad memories that it makes one blush to have to rehearse them. Wasn't this Goebbels' reasoning in 1938 in the Sudetenland affair when Germany invaded the region of Czechoslovakia inhabited by ethnic Germans and claimed that "Every man is king of his castle"?

Or the reasoning of the Stalinists, demanding that the West turn a blind eye to the massive human rights violations, not to say carnage, conducted in what they dared to call their "sphere of influence," Eastern Europe? What is this reasoning, other than a way to dress up support for an implacable and merciless terror machine in anti-imperialist, third worldist, antiglobalist rhetoric?

No. This decision by the ICC is, without question, a felicitous decision. It was, for all those who believed in the unity of humankind -- and who refuse the idea that there are victims worthy of interest (Palestinians, for example) and others who should leave us cold (not thousands, but *millions* of nameless dead of the forgotten wars in Africa) -- the only courageous and wise attitude.

We're left to hope that the international community will know how to take it seriously, to show itself equal to the task, and to signal to the accused war criminal Omar al-Bashir that he is, from this point on, banished from every nation.

Mr. Lévy is the author of "Left in Dark Times" (Random House, 2008). This article was translated from the French by Sara Phenix.

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