



## **The Timing of Peace Initiatives: Hurting Stalemates and Ripe Moments<sup>1</sup>**

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While most studies on peaceful settlement of disputes see the substance of the proposals for a solution as the key to a successful resolution of conflict, a growing focus of attention shows that a second and equally necessary key lies in the timing of efforts for resolution (Zartman 2000). Parties resolve their conflict only when they are ready to do so—when alternative, usually unilateral means of achieving a satisfactory result are blocked and the parties feel that they are in an uncomfortable and costly predicament. At that ripe moment, they grab on to proposals that usually have been in the air for a long time and that only now appear attractive.

The idea of a ripe moment lies at the fingertips of diplomats. 'Ripeness of time is one of the absolute essences of diplomacy', wrote John Campbell (1976: 73). 'You have to do the right thing at the right time', without indicating specific causes. Henry Kissinger (1974) did better, recognizing that 'stalemate is the most propitious condition for settlement.' Conversely, practitioners often are heard to say that certain mediation initiatives are not advisable because the conflict just is not yet ripe. In mid-1992, in the midst of ongoing conflict, the Iranian deputy foreign minister noted, 'The situation in Azerbaijan is not ripe for such moves for mediation.' (AFP 17 May 1992).

The concept of a ripe moment centers on the parties' perception of a Mutually Hurting Stalemate (MHS), optimally associated with an impending, past or recently avoided catastrophe (Zartman and Berman 1982: 66-78; Zartman 1983; Touval and Zartman 1985: 258-60; Zartman 1985/1989). The concept is based on the notion that when the parties find themselves locked in a conflict from which they cannot escalate to victory and this deadlock is painful to both of them (although not necessarily in equal degree or for the same reasons), they seek an alternative policy or Way Out. The catastrophe provides a deadline or a lesson indicating that pain can be sharply increased if something is not done about it now; catastrophe is a useful extension of MHS but is not necessary either to its definition or to its existence. Using different images, the stalemate has been termed the Plateau, a flat and unending terrain without relief, and the catastrophe the Precipice, the point where things suddenly and predictably get worse. If the notion of mutual blockage is too static to be realistic, the concept may be stated dynamically as a moment when the upper hand slips and the lower hand rises, both parties moving toward equality, with both movements carrying pain for the parties.<sup>2</sup>

The mutually hurting stalemate is grounded in cost-benefit analysis, fully consistent with public choice notions of rationality (Sen 1970, Arrow 1963, Olson 1965) and public choice studies of war termination and negotiation (Brams 1990, 1994; Wright 1965), which assume that a party will pick the alternative which it prefers, and that a decision to change is induced by increasing pain associated with the present (conflictual) course.<sup>3</sup> In game theoretic terms, it marks the transformation of the situation in the parties'

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<sup>2</sup> The same logic has been identified in regard to domestic elite settlements, produced by costly and inconclusive conflict: 'Precisely because no single faction has been a clear winner and all factions have more nearly been losers, elites are disposed to compromise if at all possible' (Burton and Hingley 1987: 298)

<sup>3</sup> Timing can refer to many things other than costs and benefits, including domestic political schedules, generational socialization, and attitudinal maturation, among others. (For an excellent analysis based on the first, see Quandt 1986; on the second, see Samuels 1977). These are perfectly valid approaches, but ultimately they can be reduced to cost/benefits, calculated or affected by different referents. To note this is not to deny their separate value, but simply to justify the conceptual focus used here.

perception from a prisoners' dilemma (PDG) into a chicken dilemma game (CDG) (Brams 1985, Goldstein 1998), or, in other terms, the realization that the status quo or no negotiation (DD, the southeast corner) is a negative-sum situation, and that to avoid the zero-sum outcomes now considered impossible (CD and DC, the northeast and southwest corners) the positive-sum outcome (CC, the northwest corner) must be explored.

Ripeness is necessarily a perceptual event, and as with any subjective perception, there are likely to be objective referents to be perceived. These can be highlighted by a mediator or an opposing party when they are not immediately recognized by the party itself, and resisted so long as the conflicting party refuses or is otherwise able to block out their perception. But it is the perception of the objective condition, not the condition itself, that makes for a MHS. If the parties do not recognize 'clear evidence' (in someone else's view) that they are in an impasse, a Mutually Hurting Stalemate has not (yet) occurred, and if they do perceive themselves to be in such a situation, no matter how flimsy the 'evidence', the MHS is present.

The other element necessary for a ripe moment is less complex and also perceptual: a Way Out. Parties do not have to be able to identify a specific solution, only a sense that a negotiated solution is possible for the searching and that the other party shares that sense and the willingness to search too. Without a sense of a Way Out, the push associated with the MHS would leave the parties with nowhere to go. Spokespersons often indicate whether they do or do not feel that a deal can be made with the other side and that requirement—i. e., the sense that concessions will be reciprocated, not just banked—exists, particularly when there is a change in that judgment (Zartman and Aurik 1991).

Ripeness is only a condition, necessary but not sufficient, for the initiation of negotiations. It is not self-fulfilling or self-implementing. It must be seized, either directly by the parties or, if not, through the persuasion of a mediator. Thus, it is not identical to its results, which are not part of its definition, and is therefore not tautological. Not all ripe moments are so seized and turned into negotiations, hence the importance of specifying the meaning and evidence of ripeness so as to indicate when conflicting or third parties can fruitfully initiate negotiations.<sup>4</sup> Although ripeness theory is not predictive in the sense that it can tell when a given situation will become ripe, it is predictive in the sense of identifying the elements necessary (even if not sufficient) for the productive inauguration of negotiations. This type of analytical prediction is the best that can be obtained in social science, where stronger predictions could only be ventured by eliminating free choice (including the human possibility of blindness and mistakes). As such it is of great prescriptive value to policymakers seeking to know when and how to begin a peace process.

Finding a ripe moment requires research and intelligence studies to identify the objective and subjective elements. Subjective expressions of pain, impasse, and inability to bear the cost of further escalation, related to objective evidence of stalemate, data on

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<sup>4</sup> At the outset, confusion may arise from the fact that not all 'negotiations' appear to be the result of a ripe moment. Negotiation may be a tactical interlude, a breather for rest and re-armament, a sop to external pressure, without any intent of opening a sincere search for a joint outcome. Thus, the need for quotation marks, or for some elusive modifier such as 'serious' or 'sincere' negotiations. It is difficult at the outset to determine whether negotiations are indeed serious or sincere, and indeed 'true' and 'false' motives may be indistinguishably mixed in the minds of the actors themselves at the beginning. Yet it is the outset which in the subject of the theory. The best that can be done is to note that many theories contain a reference to a 'false' event or an event in appearance only, to distinguish it from an event that has a defined purpose. Indeed, a sense of ripeness may be required to turn negotiations for side effects (Ikle 1964) into negotiations to resolve conflict. In any case, unless the moment is ripe, as defined below, the search for an agreed outcome cannot begin.



numbers and nature of casualties and material costs, and/or other such indicators of MHS, along with expressions of a sense of a Way Out, can be researched on a regular basis in a conflict to establish whether ripeness exists. Researchers would look for evidence, for example, whether the fluid military balance in conflict—such as Mountainous Karabagh, or the Burundian or Sri Lankan civil war, for example—has given rise at any time to a perception of MHS by the parties, and to a sense by authoritative spokespersons for each side that the other is ready to seek a solution to the conflict, or, to the contrary, whether it has reinforced the conclusion that any mediation is bound to fail because one or both parties believe in the possibility or necessity of escalating out of the current impasse to achieve a decisive military victory. Research and intelligence would seek to learn why Bosnia in the war-torn summer of 1994 was not ripe for a negotiated settlement and mediation would fail, and why it was in November 1995 and mediation could use that condition to achieve agreement (Touval 1996; Goodby 1996; Holbrooke 1997). Similarly, research would indicate that there was no chance of mediating a settlement in the Ethiopia-Eritrean conflict in the early 1980s and the early 1990s, or in the Southern Sudan conflict in the 1990s, the skills of President Carter notwithstanding, because the components of ripeness were not present (Ottaway 1995; Deng 1995).

While ripeness has not always been seized upon to open negotiations, there have been occasions when it has come into play, as identified by both analysts and practitioners. A number of studies beyond the original examination (Zartman and Berman 1982, Zartman 1983, Touval and Zartman 1985; Zartman 1985/1989; Zartman 1986; Zartman and Aurik 1991) have used and tested the notion of ripeness in regard to negotiations in Zimbabwe, Namibia and Angola, Eritrea, South Africa, Philippines, Cyprus, Iran-Iraq, Israel, Mozambique, among others (Touval 1985; Haass 1990; Stedman 1991; Kriesberg and Thorson 1991; Sisk 1995; Druckman and Green 1995; Zartman 1995a; Norlen 1995; Hampson 1996; Goodby 1996; Matthews 1997; Sala 1997; Pruitt 1997; Agerstam and Jönson 1997; Mooradian and Druckman 1999; Sambanis 2000; Steiner 2000). Touval's work on the Middle East (1982: 228-32, 328) was particularly important in launching the idea. In general, these studies have found the concept applicable and useful as an explanation for the successful initiation of negotiations or their failure, while in some cases proposing refinements to the concept.

The most important refinements carry the theory onto a second level of questions about the effects of each side's pluralized politics on both the perceptions and uses of ripeness. What kinds of internal political conditions are helpful both for perceiving ripeness and for turning that perception into the initiation of promising negotiations? The careful case study by Stephen J Stedman (1991) of the Rhodesian negotiations for independence as Zimbabwe takes the concept beyond a single perception into the complexities of internal dynamics. Stedman (*passim*, ch. 7, especially 238, 241-42) specifies that some but not all parties must perceive the hurting stalemate, that patrons rather than parties may be the agents of perception, that the military element in each party is the crucial element in perceiving the stalemate, and that the way out is as important an ingredient as the stalemate in that all parties may well see victory in the alternative outcome prepared by negotiation (although some parties will be proven wrong in that perception). He also highlights the potential of leadership change for the subjective perception of a MHS where it had not been seen previously in the same objective circumstances, and of the threat of domestic rivals—rather than threats from the enemy—to incumbent leadership as the source of impending catastrophe, points also applied by Lieberfield (1999a, 1999b) in his more recent comparison of the Middle East and South Africa.

The original formulation of the theory added a third element to the definition of ripeness, the presence of a Valid Spokesman for each side. As a structural element it is of a different order than the other two defining perceptual elements. Nonetheless, it remains

of second level importance, as Stedman and Lieberfeld have pointed out. The presence of strong leadership recognized as representative of each party and that can deliver that party's compliance to the agreement is a necessary (while alone insufficient) condition for productive negotiations to begin, or indeed to end successfully.

Diplomatic memoirs have explicitly referred to ripeness by its MHS component. Chester A Crocker, US Assistant Secretary of State for Africa between 1981 and 1989, patiently mediated an agreement for the withdrawal of Cuban troops from Angola and of South African troops from Namibia, then to become independent. For years a mutual hurting stalemate, and hence productive negotiations, had eluded the parties. 'The second half of 1987 was ... the moment when the situation "ripened".' (Crocker 1992: 363) Military escalations on both sides and bloody confrontations in southeastern Angola beginning in November 1987 and in southwestern Angola in May 1988 ended in a draw. 'By late June 1988, the ... Techipa-Calueque clashes in southwestern Angola confirmed a precarious military stalemate. That stalemate was both the reflection and the cause of underlying political decisions. By early May, my colleagues and I convened representatives of Angola, Cuba, and South Africa in London for face-to-face, tripartite talks. The political decisions leading to the London meeting formed a distinct sequence, paralleling military events on the ground, like planets moving one by one into a certain alignment.' (Crocker 1992: 373.) In his conclusion, Crocker identifies specific signs of ripeness, while qualifying that 'correct timing is a matter of feel and instinct.' (Crocker 1992: 481). The American mediation involved building diplomatic moves that paralleled the growing awareness of the parties, observed by the mediator, of the hurting stalemate in which they found themselves (Crocker 1992, ch. 16).

Alvaro de Soto, Assistant Secretary General for Political Affairs at the United Nations, also endorsed the necessity of ripeness in his mission to mediate a peace in El Salvador. After chronicling a series of failed initiatives, he points to the importance of the FMLN's November 1989 offensive, the largest of the war, which penetrated the main cities including the capital but failed to dislodge the government. 'The silver lining was that it was, almost literally, a defining moment—the point at which it became possible to seriously envisage a negotiation. The offensive showed the FMLN that they could not spark a popular uprising, ... The offensive also showed the rightist elements in government, and elites in general, that the armed forces could not defend them, let alone crush the insurgents. ... However inchoate at first, the elements of a military deadlock began to appear. Neither side could defeat the other. As the dust settled, the notion that the conflict could not be solved by military means, and that its persistence was causing pain that could no longer be endured, began to take shape. The offensive codified the existence of a mutually hurting stalemate. The conflict was ripe for a negotiated solution.' (deSoto 1999: 7-8).

In Yugoslavia, Secretary of State James Baker looked for a ripe moment during his quick trip to Belgrade in June 1991 and reported the same day to President George Bush that he did not find it: 'My gut feeling is that we won't produce a serious dialogue on the future of Yugoslavia until all the parties have a greater sense of urgency and danger.' (Baker and de Franck 1995). Richard Holbrooke (1998: 27) calls this 'a crucial misreading', as he did the later moment created by the Croatian Krajina offensive in August 1995 (Holbrooke 1998: 73). Holbrooke (1998: 193) had his own image of the MHS (or the upper hand slipping and the underdog rising): 'The best time to hit a serve is when the ball is suspended in the air, neither rising nor falling. We felt this equilibrium had arrived, or was about to, on the battlefield [in October 1995]', and he tried to instill a perception of the ripe moment in the mind of Bosnian President Izetbegovic. It took the Croatian offensive, coupled with NATO bombing, to create a mutually hurting stalemate composed of a temporary Serb setback and a temporary Croat advance that



could not be sustained. A State Department official stated, 'Events on the ground have made it propitious to try again to get the negotiations started. The Serbs are on the run a bit. That won't last forever. So we are taking the obvious major step...' (New York Times 9 August 1995, A7).

In his parting report as Under-Secretary-General of the United Nations, Marrack Goulding (1997: 20) specifically cited the literature on ripeness in discussing the selection of conflicts to be handled by an overburdened UN. 'Not all conflicts are 'ripe' for action by the United Nations (or any other third party). ... It therefore behooves the Secretary-General to be selective and to recommend action only in situations where he judges that the investment of scarce resources is likely to produce a good return (in terms of preventing, managing and resolving conflict).'

Some practitioners have given a more nuanced endorsement of the concept, although not all have read the conceptual fine print carefully. Itamar Rabinovich (1998: 251), the careful historian and skilful ambassador in the failed negotiations between Israel and Syria, terms the concept 'a very useful analytical tool...but...less valuable as an operational tool', but he expects that 'ripeness will account for the success of negotiations' rather than simply provide a necessary but insufficient condition for their initiation.

### ***Resistant Reactions***

There are intriguing problems raised by ripeness theory. One complication with the notion of a hurting stalemate arises when increased pain increases resistance rather than reducing it (it must be remembered that while ripeness is a necessary precondition for negotiation, not all ripeness leads to negotiation). Although this may be considered 'bad', irrational or even adolescent behavior, it is a common reaction and one that may be natural and functional. Reinforcement is the normal response to opposition: 'don't give up without a fight', 'no gain without pain', 'hold the course, whatever the cost', 'when the going gets tough, the tough get going', and 'if at first you don't succeed, try, try again.' The imposition of pain to a present course in conflict is not likely to lead to a search for alternative measures without first being tested. The theory itself takes this into account by referring to the parties' perception that they cannot escalate an exit from their stalemate, implying efforts to break out before giving in (without being able to predict when the shift will take place).

Second, while escalation is commonly used in reference only to means of conducting the conflict, it also refers to other aspects of conflict behavior, including ends and agents (Rubin, Pruitt and Kim 1994). Pressure on a party in conflict often leads to the psychological reaction of worsening the image of the opponent, a natural tendency which is often decried as lessening chances of reconciliation but which has the functional advantage of justifying resistance. Particular types of adversaries such as 'true believers', 'warriors' or 'hardliners' are unlikely to be led to compromise by increased pain; instead, pain is likely to justify renewed struggle (Hoffer 1951, Nicolson 1960, Snyder and Diesing 1977). Justified struggles call for greater sacrifices, which absorb increased pain and strengthen determination. The cycle is functional and self-protecting. To this type of reaction, it is the release of pain or an admission of pain on the other side which justifies relaxation; when the opponent admits the error of its ways, the true believer can claim the vindication of its efforts which permits a management of the conflict (Moses 1996).

## **Implications**

Inescapable as it may be, the most unfortunate implications of the notion of a hurting stalemate lie in its dependence on conflict. In itself, the concept explains the difficulty of achieving preemptive conflict resolution and preventive diplomacy, even though nothing in the definition of the MHS requires it to take place at the height of the conflict or at a high level of violence. The internal (and unmediated) negotiations in South Africa between 1990 and 1994 stand out as a striking case of negotiations opened (and pursued) on the basis of a MHS perceived by both sides on the basis of impending catastrophe, not of present casualties. (Ohlson and Stedman 1994; Sisk 1995; Zartman 1995b; Lieberfeld 1999a, 1999b). However, the greater the objective evidence, the greater the subjective perception of the stalemate and its pain is likely to be, and this evidence is more likely to come late, when all other courses of action and possibilities of escalation have been exhausted. In notable cases, a long period of conflict is required before the MHS sinks in (Steiner 2000). Yet given the infinite number of potential conflicts which have not reached 'the heights', evidence would suggest that perception of an MHS occurs either (and optimally) at a low level of conflict, where it is relatively easy to begin problem-solving in most cases, or, in salient cases, at rather high levels of conflict. Thus, conflicts not treated 'early' appear to require a high level of intensity for a MHS perception to kick in and negotiations toward a solution to begin. To ripen for resolution at least those conflicts that have not been managed early, one must raise the level of conflict until a stalemate is reached, and then further until it begins to hurt, and then still more, to ensure the perception of pain, and then still more yet, to create the perception of an impending catastrophe as well. The ripe moment becomes the godchild of brinkmanship.

As the notion of ripeness implies, MHS can be a very fleeting opportunity, a moment to be seized lest it pass, or it can be of a long duration, waiting to be noticed and acted upon by mediators. The moment was brief in Bosnia but longer in Angola. In fact, failure to seize the moment often hastens its passing, as parties lose faith in the possibility of a negotiated Way Out or regain hope in the possibility of unilateral escalation. Worse yet, when a moment of joint perception of a hurting stalemate passes without producing any results, parties frequently fall back on their previous perceptions that the other side will never be ready and the only course left is to hope and fight for a total realization of one's goals, no matter how long it takes: 'Nothing is acceptable but a Palestinian/Israeli state with Jerusalem as its capital.' By the same token, the possibility of long duration often dulls the urgency of rapid seizure.

Another set of implications comes from the fact that the theory only addresses the opening of negotiations, as noted at the outset and often missed by the critics. Now that the initiation of negotiation is theoretically explained, people would like to see a theory that explains the successful conclusion of negotiations once opened. Can ripeness be extended in some way to cover the entire process, or does successful conclusion of negotiations require a different explanatory logic?

Practitioners and students of conflict management would also like to think that there could be a more positive prelude to negotiation, through the pull of an attractive outcome without the push of a mutually hurting stalemate. Although examples are rare, as explained by prospect theory (Kahneman and Tversky 1979), one case is the opening of the Madrid Peace Process on the Middle East in 1992 (Baker 1999) and another is the negotiation of the Jordan-Israel peace treaty of October 1994; still another may be boundary disputes which are overcome by the prospects of mutual development in the region (Nordquist 2000). But the mechanisms are still unclear, in part because the cases are so few. As in other ripe moments, these occasions provided an opportunity for



improvement, but from a tiring rather than a painful deadlock (Mitchell 1995: 3; Zartman 1995a). In some views, the attraction lies in a possibility of winning more cheaply than by conflict (paradoxically, a shared perception), or else a possibility of sharing power that did not exist before (Mitchell 1995: 7). In other views, enticement comes in the form of a new ingredient, the chance for improved relations with the mediating third party (Touval and Zartman 1985; Saunders 1991). In other instances, the opportunity for a settlement grows more attractive because the issue of the conflict becomes *depassé*, no longer justifying the bad relations with the other party or the mediator that it imposed. Such openings might be termed mutually enticing opportunities (MEO), admittedly a title not as catchy as MHS and a concept not as well researched (or practiced). Few examples have been found in reality.

But mutually enticing opportunity is important in the broader negotiation process and has its place in extending ripeness theory. At most, ripeness theory can reach beyond the decision to negotiate into the negotiations themselves by indicating that the perception of ripeness has to continue during the negotiations if the parties are not to reevaluate their positions and drop out, in the revived hopes of being able to find a unilateral solution through escalation. But negotiations completed under the shadow—or the push—of a MHS alone are likely to be unstable and unlikely to lead to a more enduring settlement. As Ohlson (1998) and Pruitt (1997, with Olczak 1995) have pointed out, that is the function of the MEO. The negotiators must provide or be provided prospects for a more attractive future to pull them out of their conflict, once a MHS has pushed them into negotiations. The seeds of the pull factor begin with the Way Out that the parties vaguely perceive as part of the initial ripeness, but that general sense of possibility needs to be developed and fleshed out into the vehicle for an agreement, a formula for settlement and a prospect of reconciliation that the negotiating parties design during negotiations. When a MEO is not developed in the negotiations, they remain truncated and unstable, even if they reach a conflict management agreement to suspend violence, as in the 1984 and 1999 Lusaka agreements or the 1994 Karabakh ceasefire (Zartman 1989; Mooradian and Druckman 1999).

The third set of implications has to do with the absence of ripeness. Unripeness should not constitute an excuse for second or third parties' inaction, even if one or both of the conflicting parties are mired in their hopes of escalation and victory. Crocker (1992: 471) states very forcefully (in boldface in the original) that 'the absence of 'ripeness' does not tell us to walk away and do nothing. Rather, it helps us to identify obstacles and suggests ways of handling them and managing the problem until resolution becomes possible.' Crocker's own experience indicates, before and above all, the importance of being present and available to the contestants while waiting for the moment to ripen, so as to be able to seize it when it occurs. In the absence of a promising situation, either the 'second' party that is alone in feeling the hurt and perceiving the stalemate or the third party has a choice: either to ripen or to position.

Crocker (1992: 471-72; see also Haass 1990; Goulding 1997) lists a number of important insights for positioning:

- Give the parties some fresh ideas to shake them up;
- Keep new ideas flexible to avoid getting bogged down in details;
- Establish basic principles to form building blocks of a settlement;
- Become an indispensable channel for negotiation; and
- Establish an acceptable mechanism for negotiation and for registering an agreement.

Other strategies include preliminary explorations of items identified with pre-negotiations (Stein et al. 1994):

- Identify the parties necessary to a settlement;

- Identify the issues to be resolved, and separate out issues not resolvable in the conflict;
- Air alternatives to the current conflict course;
- Establish contacts and bridges between the parties;
- Clarify costs and risks involved in seeking settlement;
- Establish requirement; and
- Assure support for a settlement policy within each party's domestic constituency.

Since ripeness results from a combination of objective and subjective elements, both need attention. If some objective elements are present, persuasion is the obvious diplomatic challenge. Such was the message of Kissinger in the Sinai withdrawal negotiations (Golan 1976: 52) and Crocker in the Angolan negotiations (Crocker 1992: 381-82), among many others, emphasizing the absence of real alternatives (stalemate) and the high cost of the current conflict course (pain). If there is no objective indicator to which to refer, ripening may involve a much more active engagement of the mediator, moving that role from communication and formulation to manipulation (Zartman and Touval 1997; Touval 1999; Rothchild, 1997). As a manipulator, the mediator either increases the size of the stakes, attracting the parties to share in a pot that otherwise would have been too small, or limits the actions of the parties in conflict, providing objective elements for the stalemate. Such actions are delicate and dangerous, but on occasion necessary. US massive aid incentives to Israel and Egypt to negotiate a second Sinai withdrawal in 1975, NATO bombing of Serb positions in Bosnia in 1995 to create a hurting stalemate, or American arming of Israel during the October war in 1973 or of Morocco (after two years of moratorium) in 1981 to keep those parties in the conflict, respectively, among many others, are typical examples of the mediator acting as a manipulator to bring about a stalemate.

Practitioners need to employ all their skills and apply all the concepts of negotiation and mediation to take advantage of the necessary but insufficient condition in order to turn it into a successful peacemaking process when it exists, or to help produce it, or stand ready to act on it when it does not exist as yet.

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