

## The Man-in-the-Middle Syndrome

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Many superstars have theme songs. Picture how the underwear-wearing WWE beefy men walk to their theme songs. Politicians and political parties have theirs too, and they were prominent in the just-concluded election period in 2022. During this Presidential Election Petition at the Supreme Court of Kenya, we were introduced to a legend of a man-in-the-middle. He was aptly assigned the theme song, “Pinky pinky ponky!” However, when the Chief Justice pronounced the judgement: “No credible evidence was presented to prove that anyone accessed the RTS to intercept, detain or store Forms 34A temporarily before they were uploaded onto the public portal.” The only thing that was missing was the pounding of the gavel to show the finality of that matter rendering the legend dead and turning the theme song to a dirge. Harboursing some naïve expectations, I have been hoping a unanimous ruling of 7-0 would help us put some issues to rest. In football, it can only be compared to when Germany creamed Brazil 7-1 in the semi-finals of 2014 World Cup hosted by Brazil. This matter remains divisive to date. However, conversations around the same still abound. Worse still, judiciary is almost regarded as a bigger man-in-the middle.

I want to argue that the reason the-man-in-the middle will not go away is because he is part of us. He is a syndrome. Whether real or imagined, every sector of the Kenyan society is plagued by the man-in -the- middle syndrome. As the man in the middle featured prominently in the petitions at the Supreme Court, it was not just about elections, but a deeper cry of Kenyan life. This is so true that a day after the Supreme Court ruling the Daily Nation ran a story, “Ruto’s men: The new power brokers at State House.”

Who is he? Man-in-the-middle is a polite term that might make you rush for popcorn to sit

and watch a movie. The truth is, we are referring to a gatekeeper or crudely-put, a broker. He has other terms such as agent, middleman. Defining him will be as slippery and shadowy as his operations.

The term ‘man-in-the-middle’ is borrowed from computer security and cryptography (the practice and study of techniques for secure communication) to refer to a person, or a machine, who interferes or manipulates communication. In a broad sense, it refers to a middleman. A middleman can be a person, a group of people, an organisation. In this age of artificial intelligence, we include computers. For instance, The Independent Electoral and Boundaries Commission of Kenya (IEBC) is charged with the responsibility of midwifing the Kenyan voters’ decision. Depending on our persuasions, they can also be seen, together with the chairman, as brokers who manipulate the results. That was one of the issues for determination in the petition. He is a subtle controller. Middlemen are not always malevolent entities. When a middleman is benevolent, that is, if they do not interfere, hinder or manipulate, they become a bridge. Another way of looking at a middleman is as a bridge gone rogue.

### **Types of Man-in-the-middle**

We have four categories of the of man-in-the-middle and we can trace a hierarchy. The lowest and most recognizable is a broker or a middleman. In urban centres, you can think of a caretaker and touts at the bus stops. He almost passes for a layabout. It is in the rural areas where a broker is most visible and well-known. He is the go-to guy when you want to buy the biggest rooster. He can offer insights on which farmer has hens that lay twin yolk eggs. And should one need a mole hunter to handle pesky rodents, he is the guy with the contacts. He can also help with selling and reselling of cattle. He can almost pass for a petty errands guy. A broker has no fixed office except for a favourite tree where he is known to shelter as he waits, or a kibanda (make-shift structure) where he discusses business. His operational capital

is in thousands and his sphere of influence does not extend beyond a location or sub-location. With this influence, he also brokers a lot of gossip.

Next, is a super-broker. It is a broker's ambition to become a super-broker. He is another common face of this syndrome. He is more refined than the broker, and has an office. He deals in property, land, and has connections in some government offices. He deals in millions and sphere of influence can extend to across towns. He can have brokers working under him. He can also operate as an independent broker or an agent of the next man-in-the-middle.

### **Cartels**

There is that definition of cartels in business and economics as a group manufacturers and suppliers coming together to manipulate prices. In this article, we define them as brokers gone corporate. A bunch of men-in-the-middle with a system of illegal operations in place. A group of bridges gone rogue. Manufacturers and suppliers are needed in business and offer useful services. However, it is when they practice those nefarious practices that they become middlemen and cartels. Man-in-the-middle is not an evil concept. We can liken it to drugs –drug abuse conundrum. When a drug is used at the right time and in the right doses, it is medicine, any other misuse and overuse leads to abuse. Every sector of the Kenyan economy is straddled by a broker, cartel.

Retired Chief Justice Willy Mutunga called Kenya a bandit economy. In 2016 he said, “The influence of the cartels is overwhelming...If we do not fight the cartels, we become their slaves. But leaders who do take on the cartels must be prepared to be killed or exiled.” He added that cartels are usually made of powerful politicians and business people. Though faceless, cartels employ brokers and super-brokers. As acknowledged, brokers and super-brokers are the most visible, some are freelancers while others are agents of cartels. The practices of these cartels leads to corruption. Indeed, the big corruption scandals from Goldenberg, Anglo Leasing to the recent fuel shortage have cartels (middlemen) all over them. Many cabinet secretaries including Mutahi Kagwe have mentioned and sounded

warnings to cartels in their ministries and departments. They have claimed service delivery has been hampered by the works of cartels.

### **Deep state**

We argue, that deep state is a type of a broker; the chief broker. Deep state sits atop the middlemen food chain. Deep state is about government, it is about power. With that power to control government, they control all sectors of a society or a country. Deep state has international linkages. This is the one mostly constituted of bridges gone rogue – Government agencies, organs of state, police, military deciding to turn to the dark side. Guys with legit jobs decide to moonlight for a shadowy agent. To achieve their objective, they work with cartels.

### **Bridge**

As a small boy of about 6/7 years, my dad took my brother and I out. On our way back at around 7 pm, we found it had rained and the river was flooded. I refused to step on the makeshift bridge of the stones that I stepped on earlier in the day. My dad carried us across. As humans, we grow up knowing that we need bridges, we need our hands held, and sometimes to be carried. We are socialized to need bridges and to look out for them. So, bridges, benevolent middlemen are needed. For instance, Huduma Centre is such an agency. It provides government services. In sports, athletes need coaches and agents. In some countries, you cannot submit a book manuscript or movie script directly without going through an agent. The same goes for visa application in some embassies – it is not at the embassy. For instance, it is the work of great marathoner, Eliud Kipchoge's agent to work on the logistics as he focuses on the core business of running.

We are meant to help each other. Share our experiences and knowledge. We are meant to be a bridge or build a bridge in life. In Proverbs 13:22, a good person leaves an inheritance for

their children's children. We are encouraged to build bridges for the future generation. The moment we fail to build the bridge or build it and start manipulating its use, we become men-in-the-middle. Anyone can be a man in the middle. What matters is the sphere of influence. A man-in-the-middle is more prominent in business and politics. But they are also manifest in other sectors of the society.

In families, the best story is the biblical one of Jacob and his mother, Rebecca. She helped Jacob con his father, Isaac, and steal Esau's blessings. Another example is that of Prince Andrew, King Charles's younger brother, lobbying his late mother, the Queen, to stop Prince Charles from becoming King. Harsh as it may sound, families have many middlemen, it is just that the sphere of influence is limited to the families.

In church, we have brokers too. When some insist they are the only ones with direct access to heavenly places, so they are the only ones who should pray, perform miracles or even interpret dreams.

The media did expose itself as a middleman in a big way during the elections. As different stations tallied and displayed varying results, their hidden agenda was exposed. In the run up to the elections, some aspirants complained about the coverage. We can also add the opinion polls. This shows there was a lack of objective reporting. The information reported was meant to influence people to think or see a certain subjective reality. Closely related to the media, although they are not mainstream, are influencers. Their main habitation is social media. Their title says it all about their work – they will help you make a decision by bypassing your critical thinking capacities.

In sports, arts and entertainment, we have read numerous cases of agents and promoters who end up earning more than the artists and athletes they represent. In other words, a person who is meant to be a bridge, so that the talented person can focus on the core business, ends up

becoming controlling and powerful.

### **Education**

This concept of bridge/ man-in-the-middle is taught and entrenched in the education system. The ideological aspects of it are hidden. The visible manifestations are well-known and documented interferences in examinations, form one selection of schools and admission and buying of textbooks. The former Cabinet Secretary for Education, the late Professor George Magoha is on record mentioning cartels in the education system. His immediate predecessor, Dr. Fred Matiang'i, when issuing a directive on the buying of text books, also mentioned cartels.

The choice of textbooks. Ever wondered why we do not have set-books for form four are never by a young upcoming authors? If they cannot milk a story from the old established authors, they go across the borders to consider other works. A couple of years back I fortuitously bumped into two brokers hired by Kenya Institute of Curriculum Development (KICD) formerly Kenya Institute of Education (KIE) to assess the suitability of a couple of novels. One of the books was by a young author who was in his late twenties, one of the broker (evaluator) told me there was now they would consider such a book because they cannot bridge a young author to become a millionaire that soon. The second one was utterly dismissive of young upcoming authors without evidence. Some publishing firms have recognized potential evaluators, they hire them to be editors of their books or compiled editors of the short story anthologies. This touches on the business side because once a book becomes a set-book, the money pipeline is opened without the heavy marketing. The main challenge becomes to ward off book pirates. This has contributed to a dearth of creativity because many believe that in Kenya we do not have a market for fiction, outside of set-books. The most dangerous form of bridge/ man-in-the-middle is the ideological one. That is the education system that turns you into a middleman, and that is considered. That is success. It is one thing for the society to cry out loud about the need for critical and creative thinking as

a learning outcome. These are two skills that require heavy practical input. That is, we need teachers to demonstrate them. If a teacher is not a critical and creative thinker then they can talk about it but never demonstrate it. It is hard to measure creativity because of its subjective nature. Therefore, most examinations focus on what is easy to measure and evaluate, which is non-creative knowledge. In other words, when the educators and graduates are unable to create knowledge, they become intellectual brokers, intellectual middlemen. From then on, all that happens is the entrenching of the broker mentality. This leads to a form of intellectual dependency – you need a former colonial master to validate you and to validate what you know. It is possible that one can earn the highest academic qualifications and title, but when you scratch beneath the surface, you find an intellectual broker.

A system that creates people whose role is be men in the middle ion the form of mentorship and advisory. Their work is to critique but not to offer solutions. Two animals feared most by master's students: statement of the problem and methodology. During defence, it is possible for the panelists to agree that there is no clear problem of study, but they can suggest or agree on how one should be written.

In a panel it is possible for them to agree that there is no problem, but they cannot agree on how one should be written.

This is not a problem of our education system only. It is a challenge of our time. The increase of information outside of the formal set-up is the big challenge. Unfortunately, the curriculum and teaching methodologies are from another era when knowledge was still scarce. . In the movie "GOOD WILL HUNTING, " Will Hunting, a self-taught natural genius who works as a janitor has this to say to a Harvard graduate student:

You got that from "Work in Essex County," Page 421, right? Do you have any thoughts of your own on the subject or were you just gonna plagiarize the whole book for me? ...The sad thing is, in about 50 years you might start doin' some thinkin' on your own..."

### **Way forward**

Do the right thing. Simply put, do the right thing. The Supreme Court of Kenya and the IEBC are direct and indirect results of the aftermath of 2007 general elections, and the Kenya Constitution 2010. These have been two of the most maligned institutions in Kenya. One can argue that the ICC cases were as a result of lack of faith in the Kenyan judiciary. After the unprecedented nullification of the 2017 presidential election, the Kenyan Judiciary sent a strong message regarding its independence. Therefore, when the Chief Justice, Martha Koome upheld President Ruto's win, she was saying that IEBC and the Chairperson Wafula Chebukati did the right thing. Doing the right thing will stop the bridge from going rogue and expose the men-in-the-middle.

Evaluate information. Information helps to make choices. To make correct choices and timely decisions, we need credible, reliable and accurate information. At some point during the results announcement, we had to contend with spilt television screens. Online, it was hard to tell the truth from the lies. Even now, a personal decision on the whole process from voting, announcement of results, Supreme Court hearing and the judgement will depend on the information one has consumed. The point is, outside of all these institutions, we will have to make personal decisions. Only with credible information can you differentiate a man-in-the-middle from a bridge or determine what was once a bridge gone rogue.