

# A Hidden Catch-22 That Could Ruin Donald Trump's Plans

Ancient Greek mariners sailing through the Strait of Messina had a dilemma. Stick to the Calabrian side and risk tearing up their ship on a rocky shoal. Veer toward the coast of Sicily and chance having their vessel sucked down a whirlpool. They visualized these two perils as the sea monsters Scylla and Charybdis. Getting caught in this terrible choice became the proverbial Greek equivalent of being "stuck between a rock and hard place." That's where President-elect Donald Trump is right now: sharp crags to chew up his plans on one side, a sucking vortex to ensnare them on the other.

The cutting rocks are what Trump likes to call "***the Deep State.***" In non-Trumpspeak, that means the professionals who do the heavy lifting of running the ***executive branch agencies*** that deliver programs and carry out federal policy: places like the Departments of Health and Human Services, Veterans Affairs, and the Environmental Protection Agency.

Executive branch agencies *execute*—i.e., implement—the laws passed by Congress. They need to do what Congress says. That includes a lengthy, complicated process for making or changing rules for programs and policy. There are detailed legal requirements for drafting new proposals, conducting reviews, gathering public comments, making changes, and doing yet more reviews. The whole painstaking procedure usually takes two years. When the Food and Drug Administration changed the federal definition of frozen cherry pie (no, really) it took three.

Even then, new rules can get overturned. There are always state attorneys general or interest group lawyers itching to take the administration to court, as they did hundreds of times during the first Trump administration, and almost as much during President Joe Biden's term. Miss a step? Skimp on procedure? Read the law wrong? Your agency action is tied up in the courts. Eventually, it's often toast. And policy changes just got even tougher to make. For years, the dirty little secret of Washington has been that as Congress got more dysfunctional, it passed fewer and fewer substantive laws. That gave the agencies a lot more power to interpret existing law to do what the president or an agency head wanted. But one of the major Supreme Court rulings last term held that agencies had gone too far. Courts will now be much more aggressive in second-guessing them.

The bottom line? Agencies can't just do what their heads or the president wants. Nor can Elon Musk, no matter what titles or offices Trump hands him. In fact, for all the dismay over some pretty wild-eyed characters getting nominated to lead major government functions, their ability to push their—or Trump's—agenda largely rests on the capabilities of the people in the layers below. If Trump wants big changes, he's going to need "the deep state" (and yes, now would be a great time to Google "irony"). Trump's Scylla is that these people are actually good at their jobs. They try to follow the law and make sound policy that won't dissolve like snotty tissue the moment a lawyer sneezes on it. During Trump's first administration, just as one example among many, civil servants kept him from pushing wide adoption of hydroxychloroquine to treat Covid because they knew an idea based on hocus-pocus was doomed (for that matter, agency personnel also pushed back on Biden's Covid initiatives where they couldn't defend them with data).

Of course, Trump has a plan for that: just fire all these people and replace them with MAGA loyalists. It's a key part of the Project 2025 scheme for the second term that he tried to pretend he knew nothing about during the campaign, but of course is his working blueprint. It's also his Charybdis.

The problem with replacing competent professionals is that you get incompetent amateurs. Trump already ***needs to make 4,000 hires at the most senior levels.*** And he's already set a clear tone that MAGA loyalty rather than know-how will be the key item on the resume. As one example, Peter Hegseth is a decorated Army veteran, but his major qualification to be the next secretary of defense and oversee the work of 1.3 million active-duty troops and 750,000 civilians seems to be his smooth Fox News Trump-fluffery. As one former official put it: "*Would you trust him to run Walmart? Because that's how many employees we have.*" Plus, Trump plans to cut the capable experience out from under Hegseth by purging senior generals who aren't MAGA enough. Who thinks this is going to go well? Or what about Matt Gaetz, with his extremely limited legal experience (that is to say, outside of being the *subject* of an investigation), running the Department of Justice after all the lawyers who won't swear allegiance to Trump get fired?

And if Trump is determined to have these kinds of senior-most leaders, what happens when he tries to fire 50,000 agency professionals a little further down the org chart? What happens when he backfills those jobs with Trump stans whose major qualification is filling out a loyalty questionnaire? How many vital jobs—the jobs that need to get done right to make his plans a reality—will go to the horde of MAGA Instagram influencers, Mar-a-Lago dining enthusiasts, and self-styled QAnon spokespeople already angling for positions?

Isn't it possible, likely even, that the answer will paraphrase a 1970's anthem: clowns to the right of me, jokers to the further right? That giant sucking sound you'll hear is Trump's agenda going down a drain of ineffectual bumbling, exactly as happened in the first term. In fact, this exact effect is part of the reason that so many Soviet-style autocrats—the kind Trump so admires—eventually fail: governments that run on political subservience get dragged down by the Peter Principle, like a sea monster sucking its victim into the icy depths.

So sure, there's an argument that this time, Trump will be better prepared and hence more lethal. And sure, he can still do a lot of damage just by flooding the zone with bad ideas. Not to mention that incompetence carries its own toll for America. But maybe things won't turn out quite as bad as it seems. Let's see how he finds his way between the rocks and the whirlpool first.