

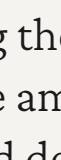
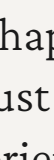
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The Party Paradox: How Political Parties Power Democracy—and Dominate It

Emanuel V. Towfigh

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Political Parties & Polarization



Political parties are hailed as the lifeblood of democracy. But they are also among its most sophisticated instruments of control. They channel the will of the people—and manufacture it. They structure representative government—and consolidate elite power. And strikingly, they do this not only in liberal democratic systems, but in authoritarian regimes as well. This is the [paradox of the political party](#): it is both a servant of democracy and a tool of domination.

Parties appear indispensable to modern governance. They organize elections, recruit leaders, form governments, and structure political discourse. In liberal democracies, they are celebrated as mediators between citizens and state. Germany’s [Article 21 of the Basic Law](#) gives them constitutional standing to participate in shaping the political will. In Switzerland, they are just one among many voices in a consensus-oriented democracy where [direct citizen participation and referenda](#) guide the process. In the United States, they enjoy no constitutional status whatsoever, yet dominate the electoral landscape as private associations, protected by First Amendment freedoms and governed with minimal legal constraint.

But their power extends well beyond liberal democracies. In East Germany, the Socialist Unity Party (SED) governed through a centralized apparatus in which all political institutions were subordinated to the party hierarchy. In China, the Communist Party defines the state in constitutional terms as a “[people’s democratic dictatorship](#).” The political system is described as a model of “[whole-process people’s democracy](#),” emphasizing participation through consultation and institutional representation rather than through competitive elections.

These examples expose a deeper truth: political parties are not inherently democratic. They are **technologies of power**. Their structure and function reflect not universal principles, but context-specific assumptions about how power should be exercised, justified, and sustained. Even in liberal democracies, this power is often opaque. Are parties public or private? Are they civic associations or constitutional institutions? In Germany, they are granted explicit constitutional status and regulated accordingly. In the U.S., they are legally voluntary clubs that control access to ballots and candidates. This legal ambiguity enables a dual identity—allowing parties to shape public life while escaping full public accountability.

Moreover, parties have increasingly become engines of polarization rather than compromise. They structure political life around loyalty, not deliberation. Academic research into “[political lockups](#)” demonstrates how parties can institutionalize their control—locking democratic processes in ways that favor entrenched power over plural competition. Parties often reward conformity, not pluralism. And in many systems, they centralize candidate selection, control parliamentary blocs, and dominate political communication—all with limited internal democracy and limited public scrutiny.

This centralization becomes particularly hazardous when parties fuse with state power. In countries like Hungary, Poland, and Turkey, ruling parties have transformed democratic institutions from within—reshaping electoral rules, weakening independent judiciaries, and capturing public media. The result is not a return to dictatorship, but a **party-led drift into autocracy**, cloaked in procedural legitimacy. [Democracy can erode from within](#) when party structures override constitutional safeguards. Wherever parties become the primary channel of political participation, they also become gatekeepers—deciding who speaks, who governs, and who belongs.

So how should we respond?

One important step is to **recognize the contingency of parties**. They are not natural features of democracy. They are human-made solutions to specific coordination problems. In some contexts, they facilitate participation and accountability. In others, they entrench elites and undermine pluralism. Their function must be evaluated empirically, not ideologically.

Second, we should invest intellectually and institutionally in **nonpartisan democratic mechanisms**. This is not about romanticizing technocracy or abandoning representation. It’s about broadening the democratic toolkit. **Citizen assemblies, deliberative councils, sortition models** (based on randomized selection of participants), and **digital participatory platforms** offer alternative ways of aggregating public will—outside of party systems. These models are not fully developed—but that is precisely the point: They constitute a **research and design agenda** for future democratic innovation. They allow us to ask new questions about legitimacy, trust, and responsiveness in an age of deep polarization.

Our current party systems were designed for the challenges of the 19th and 20th centuries—industrialization, mass mobilization, ideological blocs. In the 21st century, these once-functional mechanisms risk becoming **vestigial**: institutions that persist out of inertia, not efficacy, ill-equipped to mediate fragmented publics, digital acceleration, and global interdependence.

Democracy is not a finished product. It is an evolving experiment. Far from confirming the end of history, our moment makes clear that **democracy’s institutional forms must be constantly reimaged**.

Political parties may remain part of that story. But they are not its authors. And they will not write the ending.

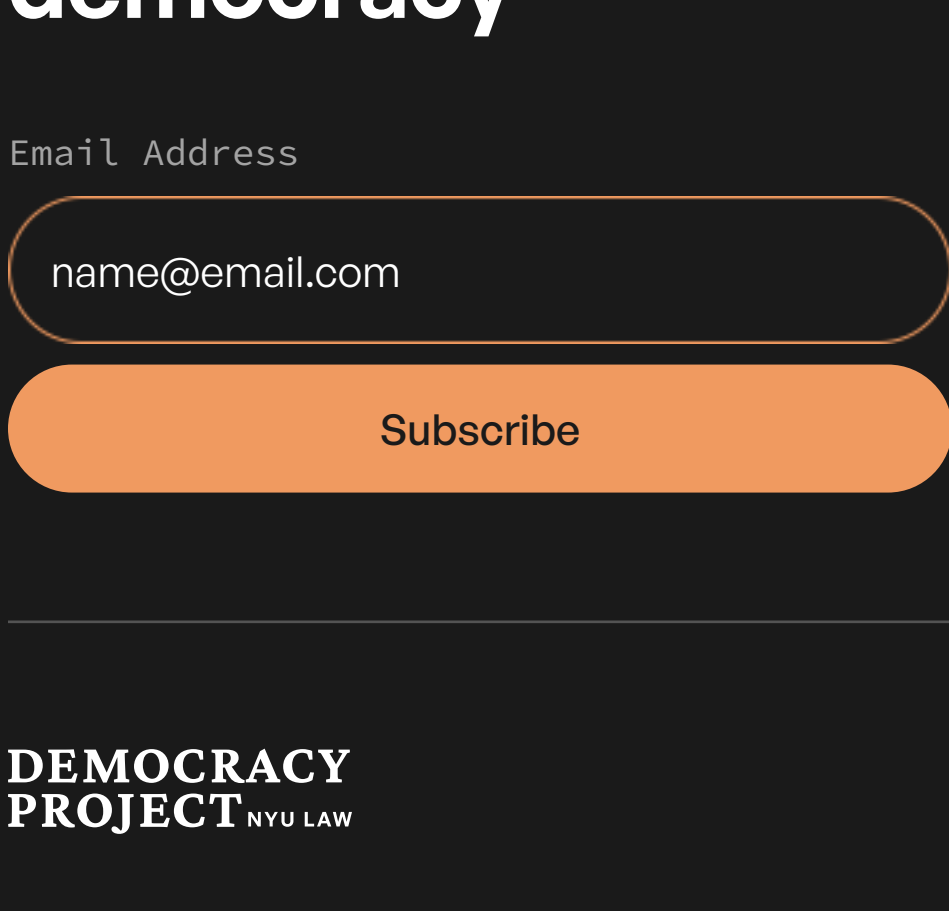
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Emanuel V. Towfigh is a University Professor at EBS University in Oestrich-Winkel (Germany) where he holds the Chair in Public Law, Empirical Legal Research and Law & Economics and is the Director of the BRYTER Center for Law & Digitalization at the Law School; he also serves as Professor for Law & Economics at the Business School (by courtesy). He is a Distinguished Scholar in Residence at Peking University’s School of Transnational Law in Shenzhen (China) and a Max Planck Fellow at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg (Germany) where he heads the Center for Diversity in Law. Emanuel V. Towfigh’s research focuses on the law of democracy and political parties, on the relationship of law and religion as well as on questions of digitalization. It also includes work on anti-discrimination law and diversity.

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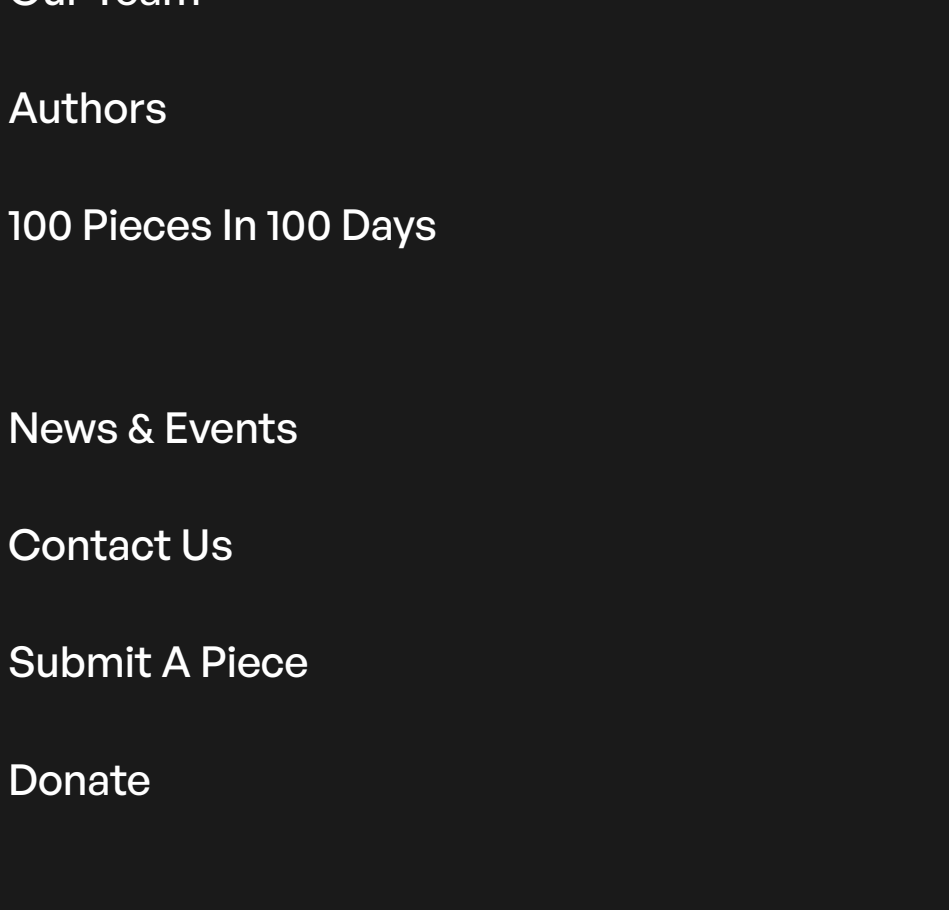


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