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Co-instituting the Constituency: The Constituencies of Brexit and Ghislaine Leung's *CONSTITUTION*

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Traversing cultural studies and political theory, this paper asks how any representative is to represent a diverse constituency, given that any constituency is necessarily co-instituted—that is, made up of—multiple and conflicting bodies and interests. Arguing that the term has suffered from a deficit of enquiry within the theoretical and critical humanities, this article thus aims to re-figure the concept of constituency. The specific understanding of constituency formation within the context of British political system, something especially visible in the wake of the EU referendum and its aftermath, highlights that constituencies are understood within this context through an atomic logic— that is, that each constituency is made up of individual constituents. Thinking with the notion of constituent power allows for a better understanding of the co-instituted nature of constituencies: how and by whom they are co-created. This, in turn, undermines any understanding of political representation as a merely bi-directional practice between representative and constituency. Finally, a close reading of Ghislaine Leung's CONSTITUTION helps probe further both a bi-directional account of constituency formation and the notion that constituencies are themselves atomically structured, upsetting set theory in the process and allowing us to better apprehend the co-constitutive relationship between constituency and constituent.

The phenomenon that is Brexit has raised serious questions as to the nature of the notion of *constituency*. During a small, but significant, parliamentary debate held in the House of Commons on 4 Dec 2018—the first allotted day of debate on the (first) EU Withdrawal Agreement—Labour MP Chi Onwurah stated:

> In making my remarks, I will try to be less divisive than the times in which we find ourselves, because these are very divisive times. Newcastle reflects that: we voted 49.3% to leave and 50.7% to remain. We reflect the diversity, division and commonality of the UK. ... we have strong remainers and committed Brexiteers. How am I to represent that? (UK, UK Parliament, House of Commons; Parliamentary Debates, 4 Dec. 2018; c.831)

Onwurah's contribution invites us to ask how any representative can fully represent such diverse constituencies. On this point, political theorist Hannah Pitkin wrote that the assumption that (political) representation is a reflective practice—that is, that representatives are to act exactly as the represented would—regularly runs into problems when contemplating the

relationship between a political representative and "an entire constituency, an unorganized set of people" (144). For Pitkin, "a constituency is not a single unit with a ready-made will or opinion on every topic; a representative cannot simply reflect what is not there to be reflected" (147). Pitkin nicely illuminates Onwurah's conundrum:

> presumably (but not obviously) … the representative must vote as a majority of his [sic] constituents would. But … [i]s he really literally to deliberate as if he were several hundred thousand people? To bargain that way? To speak that way? And if not that way, then how? (*Concept* 144-5)

A familiar response to these questions entails the recognition that the constituency must in some way be constructed by its representative. Ernesto Laclau, taking this idea even further, describes political representation as "a two-way process: a movement from represented to representative, and a correlative one from representative to represented" (158). Whilst this is an important move which begins to unravel the power dynamics of political representation, an in-depth exploration into the concept of constituency challenges the validity of a merely bi-directional account.

Running with Pitkin's assertion that constituencies do not come pre-formed, the question is thus: how—and by whom—are they co-created? British politics, with its uncodified constitution and particular legal and political definitions of the notion of constituency, provides fertile ground for a thorough investigation into the term's potential as a critical concept. How might we reconceive of the *constituency* in a moment where British parliamentary practices have been interrupted by the (potentially) direct democracy of the EU referendum? Through close attention to the ways in which the notion of constituency is being transformed in British politics in the wake of the EU referendum—but also by attempting to contribute to this re-conceptualisation ourselves—we might be able to better grasp, in the words of Lawrence Grossberg, "what is going on" in our current moment ("Does Cultural Studies" 1).

The article begins with a survey of the work done with the concept of constituency within the critical humanities, highlighting the lack of attention paid and thus also the timely nature of renewed study. This section also examines the specific meaning of constituency within British parliamentary politics, highlighting that constituencies are understood within this context through an atomic logic—that is, that each constituency is simply an aggregate of its individual constituents. Leading on from this, I focus on the notion of the *constituent power*, exploring the co-instituted nature of constituencies: how and by whom they are co-created. Finally, I perform a close reading of an art exhibition by Swedish artist Ghislaine Leung

entitled *CONSTITUTION*. Leung's work helps probe further both current understandings of constituency formation as a merely bi-directional process and constituencies themselves as atomically structured.

Defining the Constituency

Though the term *constituency* has enjoyed considerable usage within the vague constellation of what we might call the critical humanities, it has received relatively little "concept-work" (Stoler 17). That is, little attention has been paid to its potential as a critical concept that might help us better understand what is going on. I will begin by surveying the small amount of work that has been done.

Edward Said wrote that, for the public intellectual, "a constituency is principally a clientele" (18-19). In this rendition, the constituency is conceived as "a community … based principally on keeping people out and on defending a tiny fiefdom" (19). Constituency formation in this rendition is little more than the reinforcing and fixing of boundaries. As an alternative to this model, Said suggests "a more open sense of community as something to be won" (19). This sense is more in line with Stuart Hall's political use of *constituency*: that which is there to be "cultivated" and "crystallised" (22), but also "constructed" (27), built and mobilised (28). Hall and Said paint a picture of constituencies as contingent and contestable.

From another angle, Simon Watney, cultural critic and AIDS activist, wrote of the "gay political imperative to think of its constituency as unified and homogeneous," whilst simultaneously acknowledging that the community is in fact "complex [and] divided" (64; 59). In doing so, he points to the paradoxical nature of any constituency: that it form a unified collective whilst simultaneously taking into account its inherent multiplicity. Paul Gilroy, in a different context, describes how "the black poor … supply the [black] elite with a dubious entitlement to speak on behalf of the phantom constituency of black people in general" (33). Gilroy, like Watney, points here to the potentially non-democratic forms that evocations of a unified constituency can take. As with Said and Hall, Gilroy's remarks also emphasise the fact that constituencies do not come pre-formed.

The concept of constituency, though touched upon by these theorists, remains underexplored in each case. The word *constituency* also seems to suffer from a deficit of definition in the dictionary. The Oxford English Dictionary (OED) simply defines it, in the first instance, as "[a] body of constituents"—that is, the "voters who elect a representative." More broadly, it is "the whole body of residents in the district or place represented by such a member,

or the place or district itself considered in reference to its representation" ("Constituency, n."). UK law prefers the latter of these three related definitions, with *constituency* legally defined as "an area having separate representation in the House of Commons" (UK, HM Gov.; Parliamentary Constituencies Act 1986; section 1.2). The UK Parliament's glossary of terms concurs with this, describing a constituency as being "the specific geographical area that is represented by each MP in the House of Commons," adding that the "[p]eople who live in an MP's constituency are known as their constituents" ("Constituencies"). This understanding of the constituency takes it to be a whole made up of parts - that is, constituent parts. This I call the atomic model of constituency formation: where each individual constituent is taken to be the indivisible unit that makes up the larger system. Yet I argue that even within British politics' own performance of constituency formation, the constituency is never simply the sum of its parts. A constituency, in British politics, never includes all of its constituents, and a representative never represents all of her constituents.

In the UK's first-past-the-post electoral system, candidates are only required to obtain a relative, as opposed to an absolute, majority. This means that it is possible for a winning candidate to receive fewer votes overall than the other candidates combined. In other words, an MP is able to win a seat in the House of Commons whilst receiving less than 50% of the popular vote in their constituency. This is not an uncommon occurrence. A report by the Electoral Reform Society found that, in the 2015 UK General Election, 331 MPs out of 650— that is, over half of them—"were elected without an absolute majority," with a further eight candidates winning on 35% or less (Garland and Terry 22). These figures are striking, and they do not even account for voter turnout. Doing so reveals that 191 MPs, equating to almost 30% of the seats available, "were elected with the support of less than 30% of their whole electorate" (23). In other words, over 70% of those eligible to vote in these constituencies—a category which itself still disregards many: those under the age of 18, those unregistered or improperly registered, the homeless, and the mentally ill—did not (co-)constitute the majority.

Within the UK's first-past-the-post electoral system then, the so-called majority may often be a (numerical) minority. For Deleuze and Guattari, there is no reason to assume that a majority must be larger in quantity than its minorities; on the contrary, the majority is not "established among those who possess that right [to vote] but is exercised over those who do not, however great their numbers" (291). Far from being a question of quantity, the "[m]ajority implies a constant, of expression or content, serving as a standard measure by which to evaluate" itself (105). That is, minorities are always-already excluded from the very

measurement processes that continually re-articulate the majority in its becoming. It is in this sense that "[t]he majority in a government presupposes the right to vote" (291).

Jacques Rancière can help us probe the significance of this statement, and of majoritarian practices more broadly, further. Building on, but also disrupting, Aristotle's assertion "that a citizen is someone who has a part in the act of governing and being governed," Rancière states that "another form of distribution precedes this act of partaking in government: the distribution that determines those who have a part in the community of citizens" (*Politics of Aesthetics* 12). The majority is thus not formed (exclusively) as a result or effect of political practices; it is inextricably linked to such practices, but also to a wider set of actions that constitute the very foundations of democratic governance itself. This is what Rancière refers to as the "distribution of the sensible," the practices and cuts which preclude certain bodies from having a place in further practices and cuts (12).

In this sense, the majority can be seen as—to use the distinction put forward by critical legal theorist Illan Rua Wall—as the "power-over" rather than the "power-to" (384). Acknowledging that romance languages such as Latin and French have two different words for the one in English (*potentia* and *potestas*; *puissance* and *pouvoir*), Wall identifies "power-to" with democracy and the people—what Rancière would call *politics*—whilst "power-over" refers to that held by formal state political institutions, what Rancière would call the *police*. If the majority is always the work of *potestas*, always the power-over, the power-to is realised within the *constituent power*.

Co-instituting Power

The act of constitution always-already implies and necessitates some form of collective construction. In this sense, the concept of constituency links to the notion of "the constituent power," which "speaks of a collective practice, involving a plurality of actors coming together to *co-institute*, to establish jointly" (Kalyvas 105). The noun *constituency* is of course etymologically related to a cluster of other words: *constituent*, *constitution* and the verb *constitute*. Andreas Kalyvas, political theorist, notes that the etymology of these words lies in the latin *constitūere*, consisting of "the prefix *con-*"—meaning "with" or "together"—and "[t]he verb *statūere* … which means … 'to set-up,' 'to construct,' 'to place,' 'to erect,' 'to establish,' 'to create.' The word *constitūere*, therefore, literally denotes the act of founding together, creating jointly, or coestablishing" (90). In this sense, the constituency, like the constituent power, belongs to the multitude. It cannot be formed alone.

Legal scholar Joel Colón-Ríos, a specialist in constitutional theory, writes that "[t]he theory of constituent power"—derived primarily from, and thus associated with, the French and American revolutionary contexts—"holds that in every society there must be a legally unlimited constitution maker—someone who can create constitutions at will" ("Constituent" 132). This figure is often taken to be some version of "the people"—that is, a constituency. However, Colón-Ríos notes that in a British context, the "concept of constituent power has many affinities with the doctrine of parliamentary sovereignty" ("Five" 5). This means that Parliament, not the people, possesses the *constituent* power. In one sense, this is because Parliament is constituted—that is, *co*-instituted—by the House of Commons, the House of Lords, the monarch, the Government, the Official Opposition, etc. Yet, in a sense more true to the definition of constituent power as a "power-to," it means that Parliament—and only Parliament—has the power to enact and amend the UK's constitution. Despite the fact that it is Parliament and not the people that traditionally possess the constituent power, there is still much to be gleaned about the creation of the constituency when considering the constitution of Parliament. Indeed, whilst not a mere bi-directional relationship, these two processes are undoubtedly entwined. Within the context of Brexit Britain, the clash between notions of Parliamentary and direct democracy—or, "Parliament vs the People" as some would have it — has reopened the debate as to who exactly holds the constituent power: representatives or constituents.

> Complicating this further, Colón-Ríos suggests that
>
> there is another way of understanding the relationship between the doctrine of parliamentary sovereignty and the concept of constituent power: constituent power involves the power to create a Parliament, and it has to be possessed by an entity prior to Parliament. Can this entity be the people? ("Five" 10)

Yet it should not be taken for granted that "the power to create Parliament" exists *a priori* the formation of Parliament itself. Legal scholars Martin Loughlin and Neil Walker refer to this as the paradox of constitutionalism. Though formative of, and thus logically prior to, governmental power, the power of the people "can only be exercised through constitutional forms already established or in the process of being established" (Loughlin and Walker 1). Lisa Disch makes a similar point through what she calls the "constituency paradox": that "democratic representation must posit as a starting point constituencies and interests that can take shape only by its means" (600). As such, it makes little sense to apprehend Parliament and its formation by its constituency—the "people"—in a linear, temporal logic. The people's

"power-to" is clearly constrained in some way by Parliament's "power-over" it, even while Parliament's constituted power is constituted by the people. The constituency does not solely exist before or after that which represents it.

Loughlin and Walker draw attention to the fact that formal governmental modes are always-already "in the process of being established," an important move which acknowledges that the constitutional power, just as the constituted power—that is, both the constituency and the representative—should be "treated not simply as a 'segment of being' but a 'process of becoming'" (3-4). This understanding of the constitution as a process in movement rather than as fixed object—a factor acutely legible in the British context due to the absence of a singular, written constitution—"does not settle the question of the relationship between constituent power and constituted form" of government (Loughlin and Walker 4). Perhaps settling the question is neither achievable nor desirable. Instead, an attention to the becoming-constitutional allows for an acknowledgement of the very tension that provides the constitution with its democratic potential.

Loughlin and Walker understand constitutions "as ways of representing particular interests *as* the public interest" (4; emphasis added), clearly echoing Michael Saward's assertion that, "[a]t the heart of the act of representing is the depicting of a constituency *as* this or that, as requiring this or that, as having this or that set of interests" (301). Yet this bi-directional model of representation—where representation and constituency mutually constitute each other—does not adequately or fully account for the formation of constituencies. Constituencies are created by those that claim to represent them, but they are also co-created by their constituents. This relationship, between constituency and constituent, is heavily interrogated by Ghislaine Leung's CONSTITUTION.

Differential Constitution

Ghislaine Leung's *CONSTITUTION*—an exhibition commissioned by and housed at Chisenhale Gallery, London, from 25 January to 24 March 2019 (see fig. 1)—poses pertinent questions to our understanding of the concept of constituency. *CONSTITUTION* seriously challenges both a bi-directional account of political representation, one that sees constituencies as formed solely by their representatives, *and* an atomic view of constituency formation, where the constituency is taken to be nothing more (or less) than the sum of its constituent parts.

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Fig. 1. Installation view of: Leung, *CONSTITUTION*; *chisenhale.org.uk*, photograph by Andy Keate, 2019, chisenhale.org.uk/exhibition/ghislaine-leung. Accessed 23 May 2019.

The exhibition handout for *CONSTITUTION* contains an interview of Leung by Ellen Greig, a curator at Chisenhale Gallery. In it, Leung suggests that the exhibition tries to offer "a more material understanding of constitution, [and asks] questions of how and where things are constituted" (Exhibition). Leung poses a series of questions that explore the divergent and overlapping connotations of the English word *constituency*: "What is the constituency? Who am I as a constituent? What are the constituent parts within an institution … ? How do we understand how a policy is constituted? How do we understand how we are constituted by each other and ourselves?" These questions are, perhaps necessarily, open-ended. Yet they point to the ongoing reformulation and reformation of constituencies, as well as to the ever-pressing need to better understand these constituency-forming practices and what materialises as a result of them.

Leung emphasises the feelings of contingency and interdependency that *CONSTITUTION* is supposed to evoke, placing it in direct tension with the notion of a constitution as a statement of first principles, as solid ground for independence. Leung intends her work to "maximise or amplify contingency" but also to bring to the fore "how and where

things rest on each other" (Exhibition). That is, *CONSTITUTION* seeks to "foreground [contingency's] relations and its reliances." Leung's work is about connections, but not always in the places and ways that one would expect to find them. Indeed, it is the very logic of fixed relationality that Leung's work upsets: "what is interesting in terms of the constitution of a thing, is the question: where does that stop and start? It is impossible to say." *CONSTITUTION* thus foregrounds the relation between part and whole, but not wholly in ways we have come to expect. The exhibition troubles common-sense sequential and causal relationships, making materially manifest the paradoxes of set theory through its invocations of hierarchy and banality.

Fig. 2. Close up of: *Bosses*, from Leung's *CONSTITUTION*; *chisenhale.org.uk*, photograph by Andy Keate, 2019, chisenhale.org.uk/exhibition/ghislaine-leung. Accessed 23 May 2019.

When talking about *CONSTITUTION*, it is difficult to know whether, or at least when, to talk in the singular and when to talk in the plural. *CONSTITUTION* is, in itself, a single exhibition, but it is also made up of a plurality of works. This is of course true of the majority of exhibitions, but *CONSTITUTION* actively draws attention to this tension. *Bosses*, one of the exhibition's artworks, is an acute example of this. *Bosses* is a collection of collections. It comprises 20 smaller works, each entitled *Bosses II*, which themselves are comprised of two

mugs, each with the words "The Boss" emblazoned on them (see fig. 2). In the text produced to accompany the entire exhibition, *Bosses* is (anonymously) described as follows:

> a row of forty ceramic objects with black text printed on them are wrapped in pairs in an abundance of red heart and clear cellophane with a combination of oversized pull bows and light pink and red curled ribbon that sits, entrail-like, at the base of each object. (Exhibition)

This description highlights the way in which *Bosses* is constituted of differing materials, all with their own symbolic baggage. The painstakingly specific description of, for example, the "clear cellophane" and "light pink and red curled ribbon" foregrounds the mundane, banal, everyday objects that combine to produce the artwork, objects which in another context would be part of another assemblage completely, thus (partially) meaning something different themselves. As just one small example, the "clear cellophane," if located at a supermarket, could variously be seen as contributing to, that is co-constituting, a sense of hygiene, efficiency, wastefulness and/or environmental damage.

In contrast to the detailed description of the wrapping, the mugs and their written adornment are merely described as "a row of forty ceramic objects with black text printed" (Exhibition). This description—though not incorrect—is extremely vague, performatively demonstrating that the selection of what exactly constitutes an object or a collective is always a field of possible contestation. These objects—cellophane, mugs, text, hearts—are not simply predefined tools which are selected to make up a toolkit, nor are they different coloured paints on a palette, offering creative, but finite, combinations. Rather, the "objects" themselves, the constituent "parts" of the "whole," are partially constituted *by* the whole and through the practice of representation. Representation is thus not as simple as correct correspondence to some fixed constituency; what that constituency *is* is (in part) an effect of its representation.

Using a different tactic, the description included in the "LIST OF WORKS" section of the exhibition handout states, and I think it is worth reproducing in full, that *Bosses* "[c]onsists of *Bosses II, Bosses II, Bosses II, Bosses II, Bosses II, Bosses II, Bosses II, Bosses II, Bosses II, Bosses II, Bosses II, Bosses II, Bosses II, Bosses II, Bosses II, Bosses II, Bosses II, Bosses II, Bosses II, Bosses II*." This list has the effect of ridiculing the notion that the whole (*Bosses*) is nothing but the sum of its parts (*Bosses II*). The monotonous repetition of the same title 20 times almost renders the words unintelligible, meaningless. The list in and of itself does not help one come to any greater understanding of what *Bosses* consists of. It is as if one were to describe a particular Member of Parliament by listing each of her constituents, yet rather than

naming each person, referring to them only as "constituent," rendering something along the lines of: "A Member of Parliament consists of constituent, constituent, constituent, constituent, constituent, constituent, constituent, constituent, constituent, constituent, constituent…" and so on. The list appears to be utterly meaningless, but this is precisely the parody: this is indeed how political representation is often figured. What does an MP do? They represent their constituency. But what exactly *is* the constituency? Nothing but "[a] body of constituents" according to the OED ("Constituency, n."). This laboured listing of each edition of *Bosses II* points to the inadequacy of a causal logic that only allows for a whole to be the sum of its parts. At the same time, this list poses something of a challenge to the radical egalitarianism presumed by democracy; that all names be subsumed within the title "citizen" is the premise on which many calls to the *demos* are made, including those that relate to Brexit.

While *Bosses* cannot be reduced to a mere aggregate of its constituent parts, it is nonetheless (co)constituted by the different editions of *Bosses II*. The description in the "LIST OF WORKS" explains that "[e]ach pair of gift-wrapped ceramic oversized 'The Boss' mugs is a work. … The work *Bosses* physically exists when all 20 editions are brought together via exhibition loan" (Exhibition). Leung clarifies further that all twenty editions of *Bosses II* "constitute the work *Bosses*. So, for instance, if the separate editions of *Bosses II* go into different ownerships, in order for the work *Bosses* to be shown again, those collections will need to work collectively to reconstitute it." *Bosses*, then, cannot exist without each and every edition of *Bosses II*.

All 20 editions of *Bosses II* constitute *Bosses*; but again, each edition of *Bosses II* is itself constituted of mugs, plastic, ribbons, etc., which themselves are constituted by/of various, differing materials and practices. *Bosses* is a work constituted by and of other works; but it also co-constitutes the exhibition *en masse*, alongside the other works. *Bosses* leaves us with the sneaking suspicion that constitution is not a linear process. It's (co)constitution all the way down, yes, but this works both ways: it's also co-constitution all the way up. *Bosses* comes to mean, comes to *be*, in relation to both its constituent parts (*Bosses II*) *and* that of which it itself is a constituent part (*CONSTITUTION*). The expected linear, causal logic of constitution/representation—that is, that the smaller things makes up the larger thing—is interrupted by the very names of the two works. *Bosses II* makes up *Bosses*; *Bosses* does not exist unless and until all twenty editions of *Bosses II* have been brought together. In other words, *Bosses II* must first exist before *Bosses* is even a possibility. Yet that statement is clearly incompatible with any form of linear, causal logic: *Bosses II* comes numerically—and thus, in

a certain sense, logically—after *Bosses.* Indeed, the use of roman numerals invokes the naming system of monarchs or popes, where they are used as ordinal numbers to indicate sequence and order. *Bosses II* and *Bosses* disrupt the expected sequencing and ordering of representational practices, reminding us of their contingent nature. Bodies and practices both constitute and are constituted by other practices in entangled ways that a simple causal logic cannot adequately account for.

So, is *Bosses* nothing but the sum of its parts? Is each edition of *Bosses II* nothing but the part of a whole? An emphatic no. Leung sees *Bosses* as "a proposal for equality and community," but this is neither a practice of unanimity nor consensus" (Exhibition). Rather, in a turn of phrase that echoes Jacques Rancière and Chantal Mouffe, respectively, Leung sees any notion of community or constituency, as containing within and as part of it "disagreement and agonism as well" (Exhibition). For Rancière, "[p]olitics arises from a count of community 'parts', which is always a false count, a double count, or a miscount" (*Disagreement* 6). All the "parts" of a community are thus never accounted for in its constitution; the distribution of the sensible which constitutes those counted necessarily entails constitutive exclusions (those not counted).

Conclusion

The concept of constituency clearly demands critical reappraisal, not least in the wake of the EU referendum. Actively and continually reconfiguring our models of constituency formation will allow for a renewed understanding of practices of political representation. Refusing to update our current ideas of what a constituency *is*—beyond an atomic logic where the whole is taken to be nothing more or less than the sum of its parts—means that we will not be able to adequately grasp what is going on in these turbulent times. Ghislaine Leung's works powerfully demonstrate that parts need not pre-exist the whole. Instead, the "whole" necessarily entails its constitutive exclusions, those that must *not* be conceived as belonging to the whole, whose very existence as a (political) subject is foreclosed. Whilst a bi-directional model of political representation goes some way to accounting for this power imbalance, it ignores the more collaborative nature of constituency formation. A constituency cannot be formed by its representative alone; it must be co-created by its constituents. Constituents constitute constituencies and constituencies constitute constituents, but they do so differentially. Not every constituent makes up the constituency, and the constituency cannot represent all of its constituents.

The concept of *constituency* enables us to think differently about the multiple, entangled layers at work in any representative practice. Constituencies are not fixed sets that work as if in a pyramid scheme, but rather imperfect and incomplete Venn diagrams, whose internal relations are ill-defined by logics of causality and sequentiality.

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Calvin Duggan recently completed a research Masters' degree in Cultural Analysis at the University of Amsterdam. His research intersects formal politics, cultural studies and posthumanist thinking. He is also a co-founding editor of *Soapbox: Journal for Cultural Analysis*, an Amsterdam-based publication for postgraduate and early-career researchers.