Abstract: We argue that gender is a dynamic and fluid social category. Gender is widely understood to structure human relations, shape norms, and afford status to individuals and groups. However, gender cannot be construed as a pre-determined or fixed phenomenon and/or as structured simply by biological imperative. Understanding gender requires an appreciation of discovery processes of expression, experimentation, and evolution, interwoven in culture, politics, and the economy. Because gender as a discovery process is dynamically produced through decentralized human interactions, we analyze gender as a species of spontaneous order, as described in the Smithian-Mengerian tradition of liberal political economy. We illustrate how gender discovery takes place by detailing the complex and emergent patterns of gender performance across a wide variety of social settings, especially market interactions. This paper shows how markets facilitate gender discoveries through the symbolic use of products, medical and other health innovations, and the use of commercial sites to facilitate shared gender meanings and understandings. Although the centrality of gender roles to human culture through place and time is appreciated, we believe that gender as a discovery process carries normative weight. Respect for pluralism and liberal individualism implies tolerance of gender diversity and experimentation with gender fluidity. Overall, we propose that liberalism (properly construed) offers the most robust framework both for understanding gender and for morally upholding the value of gender expression and identity.

Keywords: discovery, emergence, entrepreneurship, gender, markets, social construction, spontaneous order

I. INTRODUCTION

The effects and implications of market activities on gender have generated a heated debate amongst scholars. Feminists generally conceive markets as a site for oppressing the physical and psychological autonomy of women, as suggested in their moralized critiques of female involvement in areas such as pornography and prostitution (Pateman 1988; McVey et al. 2021). There has also been growing interest in the intersectional dimensions of market participation. Controversies result from markets reinforcing both gendered and racialized practices, such as marketing of skin lightening creams by cosmetics retailers in East Asia, Africa, and elsewhere (Peiss 1998; Hunter 2011). Broader objections toward markets in fostering changes to traditional
gender practices, such as the division of household labor between men and women, have been raised by a range of theorists (Weiss and Friedman 1995; Howard 2008). We agree with the critics that markets, and attendant economic activities, can influence gendered perceptions and performances. However, we take an approach that is generally favorable to the beneficial role of markets. In doing so, we emphasize our unique contribution to age-old debates that show little sign of abatement.

The contentiousness of markets and gender exemplifies the significance of gender as a socio-cultural phenomenon. Gender is one of the more profound attributes of our personal and social identity and has a pervasive presence in economic, political, and social organization and in everyday life. Despite these realities, how gender is manifested and what processes influence and change ideas of gender are not yet completely understood. Interpretations of gender expression and identity are often subsumed within the age-old "nature versus nurture" debate. Variations in arguments favoring nature or nurture are fundamentally grounded in whether gender and sexuality are the product of natural (i.e., biological, genetic, or inherited) or nurtured (i.e., acquired, learned, or socialized) influences.

Are gender and sexuality—and their attendant diverse patterns of behavior, conduct, expression, and practice—the result of us having been born, or bred, to be the gendered and sexualized beings that we are? The dichotomous nature-nurture debates not only assume popular connotations but are deeply ingrained in philosophical and other academic discussions about identity, recognition, and rights.

In recent decades, arguments have arisen through disciplines such as sociology and philosophy that gender is a social construction, transcending learned or nurturing factors in family and other small-group settings. Gender is a concept afforded meaning and understanding through processes of interaction between people, which assume social significance regarding accepted and recognized activities, roles, practices, and values (West and Zimmerman 1987; Butler 1990; Freud 1994). To a non-trivial extent, social construction serves as a rejection of the argumentative trappings of essentialism—the latter being the notion that differences in gender identity are immutable, have a scientific basis, and are observable across cultures irrespective of time or geography.

In saying that constructionist approaches challenge the nature view, we do not mean to imply arbitrariness in social reckonings of gender. Gender norms are influential, as are attributions of the social quality of “normality” attached to how those norms are learned and structured. The social influence and power attributed to gender norms is attested by the way supposed deviations from acting, or being, consistent with norms are subject to punishments, including deviant labeling, social ostracism, and even violence (Becker 1963; Goffman 1963; Adler and Adler 2003; Goode and Ben-Yehuda 2009).

The purpose of our contribution is to illuminate previously underexplored ways in which the social construction perspective reveals gender itself to be an emergent order. Drawing upon recent developments in fields as diverse as Austrian economics, cultural economics, and economic sociology (e.g., Lavoie 1991; Storr 2010), we contend that understanding gender requires an appreciation of the discovery processes of expression, experimentation, and evolution, as interwoven in culture, politics, and the economy.

Further, market-oriented economic activities are crucial in facilitating dynamic, and vibrant, choice-oriented environments conducive to the embodiment, expression, and practice of gender and gender diversity. As we illustrate, this can be seen in a variety of activities, such as the symbolic use of products in medical and other health innovations and the use of commercial sites, each of which affirm existing gender identities, and/or create avenues or spaces for new identities to emerge. Underlying these activities are what we call gender entrepreneurship, or an alertness (Kirzner [1973] 2013) to using markets to discover and leverage new opportunities to express gender. In seeking to incorporate a nuanced understanding of individual choice within a broader framework of social construction, this paper highlights the importance of pro-market economic institutions in facilitating gender as an emergent process of discoveries and learning. This presents a contrasting position on the question of markets and gender relative to much (but not all) social science literature.

The structure of the paper is as follows. Section 2 will outline the key theoretical concepts and principles we see as pertinent to the study of gender as an emergent process. This is followed (in Section 3) by a
II. GENDER AS AN EMERGENT SOCIAL CONSTRUCT

We argue that gender is not a fixed category, but the result of an emergent, socially constructed process of discovery. Following Malamet (2018), we contend that spontaneous or emergent orders are a species of social construct. Relatedly, many social constructs should be understood as being structured by spontaneous or emergent order (used interchangeably).

By social construction, we mean the proposition that social institutions—norms, practices, and common beliefs—are the result of a cultural process of assigning meaning, which provides a sense of epistemic and existential orientation in the world. Social constructs are created through reciprocal interactions between people. Individuals put forward their subjective perspective of the world. Their viewpoint contrasts and/or mirrors those of others in an “intersubjective” meeting of minds (Berger and Luckmann 1967; Schütz 1972). As a result of this process, common behaviors and concepts are created that help to organize and regulate the structure of society. Constructs are created by shared communal beliefs and practices, and reciprocally shape the adoption of new ones. Over time, many constructs become enduring rituals—practices that both define and bind the nature of communities and the shapes that communities take (Collins 2004).

Some may take the idea of social construction to be identical with the idea of culture, or “nurture”. While there are commonalities, social construction goes beyond the generic idea of cultural influence to investigate the origins and constitutive structure of cultural practices and institutional forms. More critically, as discussed later, social construction is distinct from cultural explanations by emphasizing the impact of personal agency, and by highlighting the ways in which humans are self-aware, meaning-seeking creatures. Constructs can also be produced by disparate power relations in society. People, particularly societal elites, regularly seek to exert control over others. One mechanism of control is by classifying certain groups (especially racial, religious, gender, and sexual minorities or dissenters) as deviant and therefore normatively undesirable and socially harmful (Foucault [1975] 1995).

In this respect, social constructs can result from diverse sources. Constructs can be emergent, arising from free egalitarian interactions between individuals. Constructs can also be imposed, created through hierarchical relations between people with more power and those with less. These are not binary categories but combine in complex ways, reflecting the entangled and interwoven character of human societies and institutions.¹

In all cases, constructs are human-devised mechanisms for addressing subjective social goals or ends. A construct can exist as an abstract idea, as a rule that people follow (often institutionalized), or a combination of both. Both ideas and rules serve social purposes. In this discussion, we highlight how constructed categories like gender serve as cherished identities rather than as sources of oppression. Crucially, individuals regularly pursue self-determination and personal liberation through their engagement with, and interpretation of, gender ideas and norms.

II.A. GENDER AS A SOCIAL CONSTRUCT

Why might one think of gender as a construct? Many authors across disciplines have argued that sex and gender are distinct categories. While sex is biological, gender is social. For Judith Butler (1990; 1993), gender is a “performative” act (though they also argue that the sex-gender distinction is blurrier than some assume). For Simone de Beauvoir (1973), a woman is something one “becomes” through socialization and personal affirmation. On the most basic level, many of the elements that comprise what it is to be a “man” or a “woman” are socially defined. Wearing makeup or dresses to identify one as a woman or feminine is not a
natural fact, but a choice influenced by cultural imagery and norms. The meaning of “man” or “woman” is heavily defined by specific behavioral or other features.

From a more radical perspective, some claim that both sex and gender are socially constructed (Fausto-Sterling 2000; Kuznicki 2023). While we consider this view important and valid, it is not essential to our discussion. We instead merely emphasize the proposition that gender can be substantively decoupled from sex. Further, that what gender is results from a cultural process of assigning meaning to different combinations of body shapes, clothing styles, mannerisms, vocal patterns, and other identifying markers.

In addition, gender is an inherently normative category (Haslanger 2000, 2005; Butler 1990, 1993). What we understand a man or woman to be is influenced by our values about the way such a gender should be. Our social practices and treatment of others are always influenced by how we think society should be organized and how people ought to behave (Foucault [1975] 1995). Because to be human involves looking at the world from a specific subjective viewpoint and ascribing value and meaning to our lives and environment, it is impossible to engage with the world around us from a neutral, value-free perspective (Malamet 2018, p. 15; Malamet 2019). To be a particular gender is not only how we look or sound, but how we act (though appearance is also part of this). Thus, “manhood” is regularly associated with characteristics such as strength and assertiveness, while “womanhood” is often seen as more vulnerable and nurturing.

II.B. GENDER AS AN EMERGENT ORDER

Because gender is constituted through norms and ideas, understanding gender requires paying attention to why and how gender norms and ideas are manifested. Key to our discussion is the idea that gender is created through acts of experimental discovery and is a form of (as well as a contributor to) emergent order. The idea of spontaneous order is prominent within what Boettke et al. (2016, p. 4) call “mainline economics” or what we refer to as the Smithian-Mengerian tradition of liberal political economy.

By emergent order, we refer to the idea that many human institutions are self-organizing systems, composed out of the myriad choices of many individuals, which together create larger patterns that no one intended. Prominent examples of emergent order include language, money, markets, religion, and many other social norms, practices, and ideas or beliefs. In the words of Adam Ferguson (1782, 3:2), spontaneous order is “the result of human action, but not the execution of human design.” Overall, spontaneous order is characterized by a lack of central direction, and the creation of stable but unpredictable patterns created by individual choice but influenced by social context.

In the case of gender, patterns are created when individuals adhere to, reject, or modify gender conceptions or norms. These choices are copied or responded to by others for their own independent reasons. Variations in gender performance are an organic product of regular social interactions and cultural experiences. The social construction of gender helps to highlight these dynamics. Recall Butler’s argument that gender is performative. For Butler, gender is not a stable category, but something continually renewed through patterns of behavior: “gender is an identity tenuously constituted in time, instituted in an exterior space through a stylized repetition of acts” (Butler 1990, p. 140). Thus, when someone engages in gender performance, they are recreating a way for that gender to exist. This in turn reinforces the existence not only of a particular set of imagery and behavior, but of a way to think about and see gender more generally.

The emergent features of gender mirror and intersect with other forms of spontaneous order, such as language. Language is composed out of the many different decisions of separate individuals which repeat and form patterns of common usage and expression (McWhorter 2017; Hayek 1945, p. 528). The words chosen and the structures that are used by individuals cumulatively influence the linguistic universe that all speakers of a language inhabit. Like language, gender has no overall goal or purpose to which it is dedicated. Rather, different people perform gender in their own unique way (often unconsciously), which contributes to a variety of patterns of gender expression. Together these patterns compose the threads of how gender is understood and plays out in society.
There is also a direct intersection between linguistic and gender-based spontaneous order in emerging norms around pronouns. The use of different pronouns and nomenclature to describe and discuss people has been highly significant for how gender is practiced, ranging from the inclusion of non-gendered terms such as “they/them” alongside “he/him” and “she/her” in English, as well as the growing (though still limited) employment of “neo-pronouns” such as “xe/xem/xyr,” “ze/zem/zir,” and “ey/em/eir.” Changes in what kind of pronouns are included in discourse and the willingness to employ them in expansive ways, has been a crucial part of gender performance and identification for transgender, gender-fluid and gender-nonconforming individuals. Like gender, language is also a social construct, which is created by, and existentially contingent on, the beliefs and decisions of human communities. New uses of pronouns not only reflect the deep relationship between the spontaneous orders of gender and language, but also the ways in which linguistic practices can be understood as “speech acts,” which create and establish things in the world as well as communicate information.

What does it mean to say that gender is a discovery process? The idea of discovery has differing but important and related meanings and implications. In Smithian-Mengerian political economy, discovery has been used largely within the context of markets. Theorists such as Israel Kirzner argue that entrepreneurs experiment with products and business models to discover what consumers want through a process of trial and error. Entrepreneurial discovery serves a key coordinating function within markets as a way of matching the complex, dynamic, and subjective preferences of consumers with the myriad and differing offerings of producers. Discovery provides information to actors in the market about what people value, and the relative degree to which their desires are being met. Gender can function as a discovery process in this narrower economic sense—the identification of fulfilment of wants. Thus, entrepreneurs seek to fulfil gendered preferences.

While our focus is on how markets facilitate gender discoveries, we recognize this also entails a broader set of social dynamics and implications. Discovering gender can entail finding points of coordination between actors, helping to create shared expectations and, therefore, stable rules that facilitate cooperation, as discussed in the economics and political science literature on institutions. How people enact gender helps to establish other social roles, and gender can be an important regulating mechanism for social interactions. Gender discovery in this sense entails experimenting with how gender is thought about or practiced as a form of relational management. Gender is intertwined with many other emergent ideas and systems that govern what Malamet (2018, pp. 19-20) calls the “social commons” or the larger shared social ecosystem we all inhabit.

Gender discovery also entails new ways of understanding and performing identity. The spontaneous order of gender is part of a larger process of personal self-definition. Who or what people understand themselves to be helps to form what their goals are, and how they wish to live their lives. Gender experimenters promote or critique currently existing practices and stimulate other people to engage and evaluate their understanding of gender identity, both personally and as a social practice. In doing so, experimenters engage in a unique kind of social entrepreneurship, including through interactions in market spaces, as discussed below.

II.C. CHOICE WITHIN CONSTRAINTS

Commentators sometimes mistake social constructs as “totalizing” forces which control the way that people look at their world and act towards one another without allowing for significant conscious agency. This misperception is partly due to the influence of power-based theories (such as those of Michel Foucault or critical theory) as the lenses through which social constructs are often identified. For Frankfurt School critical theory, constructs are a means by which the capitalist class (however defined) impose a cultural narrative into which people are socialized, to prevent the possibility of insurrection and rebellion against them (Jay 1996). For Foucault, critical theorists, and others who view constructs as establishing a power relation,
the function of social narratives (and commonly shared language) is to exert control over the scope of what people understand or imagine their social world to be.

Power relations theorists see constructs as an important means of establishing supremacy over others. People are not only coerced through physical force, but also by influencing and directing how they choose to behave, what kinds of thoughts they can have, and how they relate to their society. On this view, prominent social narratives (or "ideologies") are understood as a form of "false consciousness," an intellectual and cultural framework by which people are mentally blocked from identifying the sources of their oppression, whether economic or cultural, and pushed towards justifying the dominant power structure (Rosen 1996).

An arguably less totalizing perspective that also emphasizes limits to individual agency can be found in the literature on institutions from disciplines such as economics and rational-choice oriented political science. These disciplines focus on the ways in which social rules (both formal and informal) constrain and limit what people can do (North 1990). When social practices become institutionalized as norms or rules, they constrain and shape behavior by disseminating shared expectations, if not meanings and understandings, among the people adhering to them and imposing higher costs on certain courses of action compared with others. What individuals can do is limited by the behavior and expectations of others.

As rules are institutionalized, the power they hold over individuals increases, which makes them more enduring (Collins 2004). Institutional endurance is also produced by a particular arrangement's economic, social, and cultural efficacy in achieving a particular goal or set of objectives. The perception of institutions as totalizing or controlling is influenced by the level of group adherence and retention (Hayek 1988). Gender is often encapsulated and embodied through institutional arrangements, whether expressed informally through customs and traditions, or formally codified in law.

Building on Malamet (2018), we contend that constructs are the product of choice while at the same time constraining agent behavior. Because constructs are a product of the human mind, individual actors' engagement with a construct is dialectical. Individuals are socially situated and embedded within networks and cultural contexts which affect their beliefs and behaviors. As Charles Mills (1998) notes, other people choose my race or ethnicity by putting me into a certain category or insisting upon my racialized status. Thus, race is a social fact that is independent of my personal belief or assent.

At the same time, people respond to and often engage critically with their cultural and social environment, affecting the shape of ideas and practices around them. While my racial or ethnic status might exist independently of how I think or feel about it, my relationship to it can vary widely, including embrace, rejection, and renegotiation. As I relate to and make choices about my existence as a Black or Jewish person, this impacts what it is to be Black or Jewish in society, and therefore how that category or community is culturally constituted.

More radically, if I reject my assigned identity entirely, then any new identity I assume functions in part as a response to how I have been historically perceived. Those who engage in gender transition not only seek a new persona to inhabit and with which to engage others, but also wish to reject their gender assigned at birth. In doing so, transgender and gender fluid people want both to have their membership in a new category affirmed and their previous membership rejected or erased.

In this respect, society may place people in certain social categories and treat them accordingly, but members of a category help define who and what they are, and the social meanings attached to them as group members. The relative flexibility or rigidity of a construct is contingent on what the human mind will allow, and on what multiple minds can agree to or converge upon. The stronger and more unanimous the convergence, the more widespread and robust a construct will be. Thus, the ability of a transgender, gender fluid, or gender-nonconforming person to have their identity affirmed is contingent on the shared agreement of others that gender identity is not immutable but chosen and should be respected. This vision of gender dovetails with notions of "ecological" rationality viewing practical reason as the congealment of shared understandings between people that serve as cognitive shortcuts for perception and decision-making (Gigerenzer and Todd 2012).
Spontaneous orders of gender performance interact with and compete with one another for space in culture. Indeed, the existence of competing conceptions of gender and how it should be performed (and thus, in what way it can be said to exist) is what fuels contemporary “culture wars” and social conflict over gender (Malamet 2018). Here markets play a critical role. They provide avenues for people to experiment with their gender identities by providing ways to change one’s body, mannerisms and other aspects, and communities and spaces within which diverse gender performances can be understood and accepted. They also allow for a more pluralistic and open conversation about gender to occur by disrupting traditional ways of being and modes of discourse.

III. MARKETS AND GENDER DISCOVERIES: PRINCIPLES AND CASES

As indicated in the previous section, one of the advances of contemporary social thought is the proposition that gender is an emergent, socially constructed concept. Ideas and perceptions surrounding gender are constructed through social interactions by diverse individuals who communicate over the meanings attributed to certain behaviors, expressions, images, performances, representations, and senses denoting masculinity, femininity, or some other aspect attributed to gender.

Gender is commonly perceived as a structural phenomenon. But discussions regarding the structure of gender do not fully exhaust the possibilities for the potential range of gender identities and expressions. It has long been remarked by social theorists that understandings of gender as a structured phenomenon do not nullify the potential for individuals to exercise creative agency to alter their sense of gender identity, if not to challenge conventional gender boundaries altogether. This potential for agency is empirically instantiated in a variety of ways, and are, crucially, initiated by gender outlaws, dissidents, and entrepreneurs acting individually or in groups such as social movements (Goodman 2023).

Although our account primarily focuses upon the influence of market processes in supporting the social construction of gender, we recognize that gender entrepreneurs can occur in non-market settings as well. For example, political entrepreneurship by feminists has been seen as having the spill-over effect of culturally and psychologically freeing up gender concepts and modes of expression, such as greater acceptance of women participating in public spaces (Bolt 1993). Such effects can serve as an impetus for other forms of change, whether political, cultural, or economic.

III.A. CONTRIBUTION OF ENTREPRENEURSHIP TO THE SOCIAL CONSTRUCTION OF GENDER

The social construction of gender is winnowed through an array of social institutions, organizations, and arenas. One of our central propositions is that markets are arenas where social constructs such as gender are actively formulated and nurtured by dynamic interaction. While it is true that certain market activities may contribute to the affirmation of conventional gender identities, this need not always be the case. Actors use markets and the outputs that derive from market processes to ascribe meanings to gender that are often novel, and which challenge and seek to renegotiate established conceptions.

The perspectives outlined here should not be altogether surprising, given that markets are themselves socially constructed processes, allowing for a multifaceted interplay of values held by a wide variety of agents (Storr 2010; Novak 2018). Gender boundaries may be seen as fluid by some people and not by others, and structure or agency (or some combination) may predominate gender meanings and understandings. However, the main point is that people participate in and use the outputs produced by markets to act upon and validate their gendered beliefs, however they may be expressed.

Here, we introduce the concept of gender entrepreneurship as a crucial process through which individuals explore opportunities to discover new means of expressing gender. Gender entrepreneurship suggests that individuals have the capacity to sense and potentially partake in efforts to grasp at, new (and previously inactive) opportunities to affirm, disaffirm, or vary gender constructs. An underlying presumption is that
gender entrepreneurship is carried out in a quest to seek personal gain and fulfilment, with the subjectively perceived costs of acting not exceeding the subjectively perceived benefits.

Arguably, the most interesting category of gender entrepreneurship are those acts aimed at challenging the “naturalizing” ideology of gender exclusively entailing binarization and fixity. It is here that gender variation fits within the generic idea of entrepreneurship as an act of “dissensus” against prevailing norms (Boettke and Coyne 2008). Whereas gender variation may be fraught with certain risks, this branch of gender entrepreneurship resonates with a broader appreciation of the significance of “becoming” as an elemental feature of identity (de Beauvoir 1973; Buchanan [1979] 1999; Callard 2019), and, similarly, the existential struggle to achieve personal authenticity through gender presentation. Irrespective of whether gender entrepreneurship is motivated by a desire for variation or affirmation, these activities contribute toward an emergent order of multiple and complex gendered meanings and understandings that are articulated and expressed in a societal milieu.

It is critical to appreciate that all individuals are capable of interacting in markets in ways that produce gender discoveries. Consistent with Koppl’s (2006) appreciation of entrepreneurship as a universal trait of humanity and extending von Hippel’s (2005) idea of “user innovation” to the social construction of gender, we see prospects for both producers and consumers in using various resources to support their preferred vision of gender. These resources exist at every stage of product life cycles, from raw materials and other inputs contributing to initial production processes through to final consumer goods. To broaden the potential constituency of gender entrepreneurship, we apply Kate Bornstein’s (1994) proposition that anyone is implicated in gender entrepreneurship to the extent that they are dissatisfied with any aspect of their gender identity and representation, and consequently undertake efforts (however great or small) to affirm or vary their gender.

Thus far, gender entrepreneurship has been represented as acts performed by individuals. However, we need not apply a strict interpretation of methodological individualism that sterilizes collective involvements. A fundamental contribution of social construction is that concepts imbuing social meaning, such as gender, emerge because of social interaction and exchange, with conjectures and refutations of gender identity, expression, and representation continuously at play and constantly negotiable.

Researchers have observed how patterns that we would describe as gender entrepreneurship are embodied in collective actions undertaken by identity-based social movements, civil groups, and numerous other collective forms of association and participation (Tebble 2016; Novak 2021). As already recognized by Storr (2008), we emphasize that markets are social spaces wherein people perform gender affirmations and variations that are observable by others and either emulated or opposed by them.

As mentioned, abundances generated by the market help affirm socially recognized notions of gender in novel ways, or otherwise seek variation to existing meanings and understandings. Arguably, efforts to adapt market-generated outputs and resources provide new interpretations of gender that would be most evident to our societal peers. However, efforts at gender affirmation often entail either the use of new products and technologies that are originated and diffused through the market, or the use of existing outputs in novel ways.

All these activities are gender entrepreneurship. But how do market activities support individual tendencies towards gender entrepreneurship and discovery? In what follows, we identify three potentially interrelating mechanisms through which gender discoveries take place, brief descriptions to which we shall now turn.

III.B. CONSUMPTION GOODS AND GENDER SIGNIFICATIONS

The first mechanism of entrepreneurship involves the use of consumption goods. Individuals use a range of consumption goods to symbolically attach to or to signify gender attributes and markers to those in their social circle as well as to the public. A good example of these are the products accessible on the market—such as clothing, cosmetics, fragrances, grooming products, and so on—that adorn or decorate human bodies,
and which may be used by gender entrepreneurs to present affirmatory or variegated forms of gender identity and expression. Market-produced outputs used to signify gender need not be limited to those worn on the body, with a panoply of additional goods (e.g., food and beverages, literature, etc.) potentially amenable for use by individuals and groups to help constitute identity and status, and publicly signal specific kinds of commitments and values (Dolfsma 2004; Dalla Chiesa and Dekker 2022).

Entertainment such as music is particularly important, as music often generates subcultures and forms of attendant visual and auditory expression reflecting gender performance. Rock stars such as David Bowie and Robert Smith of The Cure, and members of musical subcultures such as punk, glam rock, goth, disco, pop, heavy metal, and others have engaged in significant gender experimentation as key parts of their larger artistic commitments.

Consistent with this, consumer culture theorists have proposed that individuals utilize consumer goods to advance so-called “identity projects,” which include the use of certain products to anchor and but-tress preferred gender identities (Larsen and Patterson 2018). The assortment of “symbolic goods” potentially available for affirming or revising gender constructs appear to be relatively open-ended, as individuals and collectives regularly interpret products as signifying some aspect of identity that is detectable by, and relatable to, others (Potts 2011).

Gendered fashion and ascriptions to certain items or styles of clothing and accessories have been heavily susceptible to evolution, reflecting the interaction between the production of new trends and shifting consumption tastes. For example, it is purported that gendered color associations in infant’s clothing shifted from the early twentieth century from pink to blue for boys, and from blue to pink for girls (Paoletti 1987; c.f., Del Giudice 2012). Critical scholars have suggested that economic, cultural, and social changes during the modern era contributed to the standardization of menswear, especially work attire, but, conversely, to a diversification of womenswear to emphasize attractiveness and beauty. Correspondingly, the “[c]onstruction of fashion as a woman’s preoccupation has made men’s interest in fashion and appearance at best ‘suspect’ of effeminacy or, even worse, of homosexuality” (Rinallo 2007, p. 78).

The use of clothing and cosmetics typically attributed to the opposite sex by certain male performance artists, like Bowie and Smith, are depicted as arguably dramatic examples of transgressive “genderbending” that aroused public attention, if not controversy amongst some quarters. The more recent example of American rapper Lil Nas X has invited public commentaries surrounding the intersection of gender performance, especially acts and expressions of masculine nonconformity, and race (e.g., Montiero 2021; Persaud and Crawley 2022).

Conversely, there are also examples of fashion styles being used by sexual minorities, including gay men, to reinforce (or affirm) gender stereotypes, as opposed to challenging them. In the East and West coasts of the United States during the 1970s, certain members of the gay community adopted a so-called “clone” look which “appropriated clothing associated with conventional working class male icons—the cowboy (denim jacket and cowboy shirt); the biker (leather jacket and cap); and the lumberjack (jeans and hiking boots)—and urbanized, eroticized, and stylized them, as a way of undermining conventional conceptions of gay men as effeminate” (Vider 2018, p. 348).

The expanding ability of individuals to travel long distances on commercial flights, and to communicate cheaply over long distances, meant that the cloning trend disseminated to other parts of the globe. For instance, the clone look appeared in Sydney’s inner-city gay enclaves from the late 1970s and, like elsewhere, elicited contentious discourses over the meanings of masculinity. Critics argued that hyper-masculine cloning fashions perpetuated sexual stereotypes: “[t]he new masculinity … despite its shattering of older stereotypes, had also brought a new hierarchy and orthodoxy” (Faro and Wotherspoon 2000, p. 251). Defenders of cloning argued that the aesthetic uniformity of cloning greatly assisted oppressed and vulnerable gay men to identify and bond with one another. From the symbolic consumption perspective, it is notable that Johnston (1999, p. 71) remarks that “[i]f you know what to look for … you can recognize each other in the street. … His clothes tell you a hundred meters away. To be a clone is to be as openly homosexual (at least to other gays) as a participant in a gay rights march.”
Broader trends have been identified over recent decades which aim to broaden the acceptable range of masculine portrayal. One notable example was the emergence of an urbane “metrosexual” identity from the mid-1990s, associated with encouraging men to embrace diverse (including, arguably, “effeminate”) clothing styles as well as skin care, cosmetic, and other beautification products (Rinallo 2007; Hall 2015). The metrosexuality trend in fashion and style has been estimated by some researchers to correspond with broader cultural shifts in de-stigmatizing effeminate behavioral traits, such as the open expression of emotions, as well with economic shifts such as labor market precarity as the traditional male “breadwinning” status waned. Increasing acceptance of diverse clothing styles and grooming products for men, viewed as constituent features of metrosexual identity, appears to have contributed to a sizeable consumer segment amenable to advertising and marketing promotions (e.g., Bano and Sharif 2016).

Market-produced private goods are also used by individuals who explicitly define themselves as not affiliating with either end of the binarized male-female gender spectrum. For certain non-binary people, there is a demand for unisex clothing that is deemed to eschew conventional gender symbolisms, or otherwise lacks physical or other reference to gendered cultural labels. This may tie in with broader desires for expressing individuality (Bardey et al. 2020). Unisex clothing may include basic items such as tee shirts and jackets, and other items that register ambivalence from a gendered lens, but it also possible that some non-binary individuals seek other items, such as skirts and dresses, which may conventionally be attributed to a certain (in this case, female) gender (Thomas 2021). In addition to demands for agender, or gender-neutral, fashion are calls to encourage the provision of gender-neutral toys for infants and children, and to promote gender non-neutrality in respect of such activities as product placements and packaging (e.g., Bainbridge 2018).

III.C HEALTH CARE GOODS AND GENDER IDENTITY

In addition to consumption goods, individuals also rely upon health care goods to assist in the realization of gender discoveries. This category includes medical procedures including cosmetic surgeries, and pharmaceutical and therapeutic goods such as medicines and medical devices. Existing health care goods are used by people to affirm or vary various elements of their gender identity, as well as consuming the fruits of surgical and other medical innovations to exercise gender entrepreneurship. The use of health care goods in these gendered forms may be interpreted as a special case of the broader phenomenon of “techno-physio evolution” (Fogel 2004). This refers to technological improvements (such as food safety and nutrition, urban sanitation, etc.) that have generally improved human health and well-being as indicated by gains in height and weight, improvements in physical strength, and a trend decline in mortality rates.

Over the past several decades endocrinological, surgical, and other treatments, as well as prosthetics and other appliances, have been made more available for transgender and gender non-conforming people who wish to engage in transitioning and other bodily affirmations of gender. These treatments and products—which are widely available by for-profit providers and, in the case of gender affirmation surgery, are provided by “medi-tourism” operators in developing countries (e.g., Aizura 2010)—are intended to ensure the functional abilities and physical appearance of the gender they know and understand themselves to be. Gender affirmation surgeries, hormonal therapies, penile packers, breast binders, and other products, are all technologies aimed at empowering individuals to become the gender they wish to be or express. A range of health goods used by transgender people have previously been made available to cisgender people—including hormonal treatments for menopausal women, breast augmentation or mastectomies, or phalloplasty for wounded war veterans. Although the quality of empirical studies varies, and there is the need for further research, there appears to be sufficient evidence supporting the intuition that these products, procedures, and treatments have beneficial impacts with respect to quality of life and subjective wellbeing (e.g., Murad et al. 2010; Hess et al. 2018).

A key point regarding the gender discovery potentials of health care goods is that a range of procedures and treatments are actively, and frequently, used by cisgender people to affirm their gender identity. In this
regard, an expansive range of cosmetic surgeries—for example, breast augmentation, hair transplants, penile enlargements, and so on—are performed to help reinforce one’s innate sense of gender, and to accomplish a more effective presentation of their gender identity befitting their societal context. A recent study of Swedish cosmetic genital surgical patients indicates that surgeries to alter the appearance or performance of genitalia is associated with improved self-image and reduced anxieties in terms of intimate activity and broader social comparisons (Hustad et al. 2022). Gender affirming properties of health goods are not limited to invasive surgical procedures, with medicinal products such as Viagra, for example, identified as technologies used to affirm both idealized and corporeal performances of gender by men (Loe 2001; Mamo and Fishman 2001).

We acknowledge that certain critics view health care goods as pathologizing certain kinds of gender expressions, identities, and performances, as well as reinforcing stereotypical dimensions of gender (e.g., Fraser 2003; Spade 2003). Another set of questions have been raised regarding the ethics of bodily modification, including with “transhumanist” potential (Hogle 2005; Kuznicki 2015, 2023). While we cannot address these critics here in full, we emphasize that markets facilitate the provision of goods and services that assist individuals in actively and creatively constructing their own sense of gender, together with contributing to an emergent order of gendered meanings and understandings in the world.

III.D. COMMERCIAL SPACE AND GENDER-ORIENTED INTERACTIONS

The final category of gender entrepreneurship takes place in commercial spaces and similar physical sites. Consistent with Foucault’s (1986) concept of “heterotopia,” or alternative locations whereby minorities can clandestinely frequent and congregate in relative sanctuary away from the prying and social disapproval of majorities, a range of commercial spaces (e.g., bars, clubs, meeting venues) provide individuals with the relative freedom to indulge in gender variations. Spaces of this kind have also been referred to as “safe spaces” (Massimino 2015), allowing socially marginalized groups to mingle without having to negotiate the sometimes perilous social and performative labyrinth that is the “heteronormative matrix” (Tebble 2016, p. 220). Other locations such as single-gender clubs and outlets allow individuals to affirm their gender as well. According to Cowen (2013), the significance of commercial sites is that they present a polycentric, decentralized context within which gender entrepreneurship can take place.

Commercial bars catering to sexual minorities, particularly members of the LGBT community, are important spaces where individuals experiment with gender expression and performance (D’Emilio 1993; Escoffier 1998). Following the initial post-war expansion of bars primarily frequented by gay men in major cities in North America, Europe, and elsewhere, lesbian women increasingly opened, or otherwise gained access, to single-sex commercial venues. These venues enabled lesbians to challenge gender expectations and norms surrounding female presentation and conduct. Jennings (2015) recalls oral histories of women discussing butch-femme dynamics in commercial bars in Sydney, Australia, during the 1960s. One account refers to the presence of butch lesbians with three-piece suits, cufflinks, and ties, together with their femme companions retaining feminine dress and appearance codes. Within the bar setting, at least, there was “a highly nuanced subculture based around butch/femme playing, and new entrants to the community were expected to adopt a butch or femme style and behavior. This was often a highly conscious process in which new members chose an identity and experienced a rite of passage in which they adapted their image to fit the new identity” (ibid., p. 65).

Numerous additional studies have pointed to other strands of gender entrepreneurship in LGBT-friendly commercial establishments. Members of the transgender community found relative safety in certain commercial bars, providing them with leeway to express and learn diverse styles of gender conduct and presentation, in contrast to conventional gender stereotypes and norms (e.g., Perkins 1983; Boyd 2003). These acts of gender entrepreneurship were conducted precariously during an era of police harassment and bar raids (Stein 2019). Similar commercial venues enable people to affirm their diverse visions of gender identity—such as in male leather bars where men wear and use leather goods to affirm masculinity norms.
(e.g., MCoun et al. 2006; Hutson 2010). Alternatively, establishments can be used to challenge conventional norms, such as in BDSM (bondage and domination, sadism, and masochism) venues where people can experiment with practices of submission and domination (Rubin 2011).

An array of non-sexualized and less risqué commercial spaces is likewise available for individuals to affirm or modify gender meanings and understandings. Single-sex associations of men and women often hire commercial venues to participate in activities stereotypically viewed as male and female domains of activity, respectively. Examples include mechanics or woodworking activities for men, and arts and crafts, and cooking, for women (or vice versa, as gender experimentation allows). Sports venues may similarly be used to either affirm or vary gendered norms and expectations.

An interesting case study of women’s roller derby leagues in skate rinks and similar commercial venues, shows that derby participants regularly improvise in their use of clothing and routines to defy gender stereotypes: “roller derby personas resignify these meanings in manifold ways, ranging from celebrating taboo femininities, ironizing traditional femininities (and their foreclosures), and creating hybrid femininities that meld masculine and feminine cultural signifiers” (Thompson and Üstüner 2015, p. 254). Another is the occasion of “cosplay” (costume-play) gatherings, and similar events, as a potential opportunity for some participants to wear garments that defy gender stereotypes (Satinsky and Green 2016). Scholarly accounts have also been given as to how certain subcultures use clothing fashions and other market produced goods to promote androgynous styling aesthetics, and engage in other practices (including within shared spaces), that question gender conventions (e.g., Goulding et al. 2004). These examples, and others, illustrate the capacity of various commercial physical spaces to serve as a foundation for the interactive performance of gender amongst groups of people.

IV. CONCLUSION

We have argued that gender is best understood as an emergent social construct. Individuals act out gender in myriad different ways that establish multiple and competing patterns and conceptions of what gender is or means. The nature of gender as an emergent and dynamic “way of being” means that it can never function solely as a power relation but is also a form of identity and cultural expression constantly subject to questioning and revaluation. Or, as Jason Kuznicki (2017) argues, gender is an art form. Further, we illustrated how markets serve as a critical avenue through which gender is expressed and experimented with. As the process by which production and consumption decisions take place, markets are crucial for providing gender entrepreneurs with the resources and institutional framework they require to act. Importantly, markets are a space of dynamism and disruption, in which previous modes of living and acting can be challenged, and alternatives provided.

Some feminist scholars, critical theorists, and others have worried that markets can also be harmful or oppressive by reinforcing demand for gender stereotyping and by selling products using traditionalist, restrictive, or otherwise negative gender performances (Walters and Ellis 1996). While we acknowledge these concerns and take them seriously, we emphasize that the dynamic and disruptive properties of markets provide many avenues for dissident forms of gender expression. In addition, although there may be highly dominant and oppressive understandings of gender in contemporary culture, the opportunity for “exit” within markets, or by using products supplied by commercial entities, provides constant opportunities to dissent and engage with alternatives.

The implications of market activities and materials in support of gender entrepreneurship are significant, and yet to be fully appreciated in academic discourse. The adaptation of gender diversities within market contexts may be claimed to reflect empirical observation on the state of human diversity without any necessary recourse to moralizing judgments. However, we contend that respect for self-determination and a pluralistic approach to what constitutes the “good life” give us reasons to tolerate and even celebrate diverse forms of gender expression (medically assisted or otherwise). This aligns with the liberal insistence on respect for persons as separate rational beings (Rawls 1999; Zwolinski 2008). We similarly embrace the
Millian-Nozickian perspective of the value of diversity as realized through the combination of experimen-
talism with voluntarism, as applied to gender.

From a classical liberal perspective, the contribution of the market in supporting gender, whether it
be in affirming or varying hues, is intrinsically linked with fundamental commitments to freedom of ex-
pression and of association, as well as bodily autonomy. Gender entrepreneurship is ultimately a reflection
of the innate right of the individual to modify or adorn their body to express how they see themselves and
the kind of person they wish to be. The existence of markets, even those operating illicitly, not only present
spaces in which divergent views of gender can be performed, but they provide gender minorities with some
measure of immunity from having their needs and desires outvoted by political majorities (Tebble 2016).
The freedoms afforded by the market process to promulgate gender discoveries support a wider range of im-
portant, yet non-economic, virtues, including the freedom to aspire to “become who we want to become.”

NOTES

1 The terminology of “emergent” and “imposed” was developed in conjunction with Fabio Rojas.
2 The concept of gender entrepreneurship presented in this paper is distinct from the voluminous academic litera-
ture examining economic (and other forms of) entrepreneurship by men or women.
3 We thank Kelly Wright for pointing out these precedents in the use of health care goods.

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