

# The Hustler Ethic: Economic Action by Any Means Necessary

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## Abstract

This paper studies the emergence of the hustler ethic in the informal urban economy of the United States. We examine how the hustler ethic emerged as an entrepreneurial response to a constrained and marginalized economic position of certain groups, specifically African American urban youth. We demonstrate how, through altering the evaluation criteria by which communities judged economic actions and outcomes, the hustler ethic contested existing norms and shaped economic strategies. Our findings suggest that if the rules of property and contract are not well defined or if these rules apply differently to marginalized communities, then exchange interactions are more likely to give rise to unproductive or harmful ethics. This finding is in line with Baumol's theory of the unproductive or destructive effects of entrepreneurship under suboptimal institutional conditions.

**Keywords:** informal economy; institutional asymmetries; hustlers; moral markets.

**JEL Classification:** A13; D02; N32; O17; E26

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*They say every man is defined by his reaction to any given situation  
Well who would you want to define you?  
Someone else or yourself?  
(from 'I Do This' by Nipsey Hussle)*

## 1. Introduction

The movie *Hustlers* recounts the adventures of a group of female strippers during the financial crisis around 2010. Here is how one reviewer described the film: “In director Lorene Scafaria’s box office smash *Hustlers*, we find a cinematic depiction of women who rebel and try to steal back what capitalism has stolen from them.” And continued: “There’s a long line of movies about strippers and sex workers—*Player’s Club*, *Showgirls*, *Magic Mike*, and *Pretty Woman* to name a few. *Hustlers* turns the genre on its head by inverting gender roles—turning entitled customers into helpless bait; predators and power-brokers into vulnerable victims” (Sanders 2019).<sup>1</sup> It is a stark contrast with the way that almost sixty years back a New York Times film critic Bosley Crowther reviewed the 1961 movie ‘The Hustler’ starring Paul Newman as pool-shark: “[The hustlers] are high-strung, voracious and evil. They talk dirty, smoke, guzzle booze and befoul the dignity of human beings. They have a consuming greed for money that cancels out charity and love.”<sup>2</sup>

The 2019 movie captures the outcome of an essential transformation of the cultural status of the hustler, once a shady character at the fringes of society scraping by through illicit activities, now a self-confident character who can turn her marginalized, undignified job,

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<sup>1</sup> The movie is based on a viral story in the New York Magazine, ‘The Hustlers at Scores’, December 2015.

<sup>2</sup> Bosley Crowther in the New York Times of 27 September 1961.

and victimized role, into a position of strength and an opportunity to make it in life. In the movie the female hustlers make money by spiking the drinks of their male customers and then maxing out their credit cards. Born out of the financial hardship which resulted after the financial crisis of 2008 and their marginalized position as single minority women, the film appears to justify and dignify how they get by.

In this article we argue that the hustler ethic emerged among marginalized groups as a response to exclusion or discrimination in formal labor markets. Robert Boyd has demonstrated that (disadvantaged) minority groups are more likely to be entrepreneurs and self-employed, because of discrimination in the labor market (Boyd 2000; 2005; 2016). Other studies have demonstrated that such self-employment tends to take place in the informal and black economy (C. C. Williams and Horodnic 2016; N. Williams, Vorley, and Williams 2017). Williams and co-authors highlight that this is combined with an institutional asymmetry, which is reflected in a de-legitimation of the formal economy and a legitimation of informal circuits, and possibly of illegal activities. Empirical work has shown that increased power distance leads to lower levels of institutional trust (Kaasa and Andriani 2022). But very little is known about the micro-dynamics of this process.

The emergence and adoption of the hustler ethic is an opportunity to analyze how such an alternative set of beliefs comes about. The ethic emerged in inner-city neighborhoods among migrant and particularly black communities in the United States (Polsky 1967; Garnes 2009) but it has been widely adopted and adapted by other groups, prominently in urban economies in the Global South (Edberg 2004; Nashashibi 2013; Thieme 2015; 2018; Chukwuemeka 2021).

Baumol has alerted economists to the potentially unproductive or destructive effects of entrepreneurship (Baumol 1990). He argued that as long as property rights are well defined and enforced, and as long as the public sector is relatively immune to rent-seeking activities entrepreneurship will be wealth enhancing. We suggest that the same dynamic holds for the moral effects of markets. If property rights are defined and protected, if all social groups have roughly equal access to markets, and if the public sector is relatively immune to rent-seeking activities, markets foster productive outcomes as well as positive moral outcomes (Storr and Choi 2019). If not, the moral effects might be different, and an alternative ethic might emerge delegitimizing the pursuit of formal economic activities.

Markets have been associated with higher levels of trust (Choi and Storr 2020), with a set of bourgeois virtues (McCloskey 2006), and more generally with the notion voluntary exchange and mutual gain (Sugden 2018). But there is also a long tradition of thought which associates markets with exploitative relationships (Marx and Engels 1988) and manipulation and deceit (Akerlof and Shiller 2015). Relatively little micro-economic empirical work has been done on the question whether and how different institutional conditions impact the moral effects of markets. Our paper provides a step in this direction, through the analysis of the institutional dynamics which give rise, through repeated interactions, to a coherent set of moral beliefs – what has been called an economic ethic (Weber 1930; Campbell 1987; Storr 2013). We demonstrate how this ethic in turn influences economic action and therefore outcomes.

## 2. Methodology

The 1959 Walter Tevis novel *The Hustler* which was adapted into the 1961 movie with the same name brought prominence to hustlers in the pool halls of major American cities.

Driven by a desire to correct the one-sidedness of the film, Ned Polsky provided the first systematic treatment of hustling (Polsky 1967).<sup>3</sup> He was inspired by the sociology of the Chicago School, known for the first-hand observation and description of the lives of marginal groups in society, such as in Foote Whyte's foundational study of the *Street Corner Society* (Foote Whyte 1943). Howard Becker was another important representative of this approach, which was labelled the sociology of deviance, the study of those who did not fit into accepted patterns and roles (Becker 1964). Chicago is therefore regarded as the birthplace of studies of alternative urban lifestyles, including that of hustlers (Chapoulie 2020). Within sociology the Chicago approach is known for its micro-approach, in which assigned identities and adopted social roles are given emphasis over structural explanations.

In this paper we present an analytical narrative of the emergence and development of the hustler ethic, an approach well suited to study qualitative changes to institutions (Bates et al. 1998; Skarbek 2020). In this narrative we link the Chicago vision of social analysis with the institutionalist approach of the Bloomington School of Political Economy, as encapsulated in the framework for Institutional Analysis and Development (IAD). The IAD-framework is an approach to institutional mapping that proceeds in three steps. First, the analyst identifies an action arena which consists of actors and action situations. The action arena is a basic (a "focal") unit of analysis. Secondly, at the "configural" level of analysis we take a step back and consider what are the determinants of the very action situation (Ostrom 1986). What are the characteristics of a community within which our actor finds themselves, what resources and technologies are at their disposal, what rules apply?

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<sup>3</sup> Polsky was himself a skilled pool player who had enrolled in the graduate sociology program in Chicago, although he never earned his degree. The hustling scene had already been covered in novels, for instance Nelson Algren's 1949 *The Man with the Golden Arm*.

Thirdly, the analysis elaborates on how the action situation and the elements that constitute it generate patterns of interaction and specific outcomes (Ostrom 2005). “This institutionalist approach offers one powerful example of institutional mapping that not only satisfies the contextual and temporal parameters defined by the Chicago vision of social analysis, but also creates a link between that and the standard analytical paradigms and economics models” (Aligica 2006, 89).

The combination of these two approaches to institutional mapping suits our interests well, because we focus our analysis on how marginalized social groups developed hustling activities and the associated identity and ethic of the hustler as a response to the structural constraints they faced. We argue that the hustler ethic sought to redefine the socially defined position from marginalized individual to hustler, or from victim to agent.<sup>4</sup> It introduced a new set of evaluative criteria, the hustler ethic, which over time altered the rules of the games and the permissible and justified set of actions. Both positions and evaluations are elements of the morality emerging from economic interactions, and thus part of what turns the market interactions themselves into a moral space (Zelizer 2004).

### 3. An interactionist-institutional analysis of the hustler ethic

#### *3.1. Making the game*

Let us start with Polsky’s study of pool-hall hustlers, a case-study in the sociology of deviance. Pool hustlers are not simply players or regulars, their activity involves an element of deceit. Although in the 1960s gambling was illegal by law, the mere fact players played for money did not make them hustlers. Rather, according to Polsky, the essence of hustling

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<sup>4</sup> Anthony Giddens explained that a position is “a social identity that carries with it a certain range (...) of prerogatives and obligations that an actor who is accorded that identity (or is an 'incumbent' of that position) may activate or carry out” (quoted in Ostrom 2005, 318).

is the ability to “make a game”. A good game was one in which the stakes were worthwhile, the hustler had a high chance of winning, despite the handicap he had offered to impose on himself, and one which would not require him to reveal all his skills, because this would inhibit his ability to “make” future games.

The hustler was able to earn money playing pool because he systematically concealed his true abilities. This hiding also involved the ability to play at different levels, to convincingly miss a shot and to correctly estimate the ability of others, to avoid getting hustled himself. Polsky was interested in hustling not merely as an occasional activity but rather as a career. It could therefore make sense for the hustler to lose an occasional game to build a (poor) reputation which would earn him more later. The hustler should avoid winning by large margins or ‘showing off’, because that would harm his later earning potential.

The ability to “make a game” carried broader significance that went beyond mere signaling skills. It points to the contested ability of the hustler to change the structure, or rules, of the game in his favor. But all these activities were initially carried out in restricted social settings in which the hustler has very little ability to be able to ‘direct or produce’ the scene (Polsky 1967, 62–63). In a comparison with the traditional con man Polsky highlighted that the pool hustler operated in very restricted social settings. The only alternative he might have been to move to another city where his reputation is less well-known. The hustler sought to make the best out of a precarious situation, to bend the rules in his direction despite his marginalized position. We consider the ability to make a game as an example of the basic mechanism of rule design within communities which Elinor Ostrom studied in her work on governing the commons (Ostrom 1990). The pool halls are our action arenas. The next step

is to analyze the positions and resources available to the actors that play the games in these arenas.

Polsky emphasized that hustlers typically came from a low social class and within that class they tend to be from marginalized groups: “this group shows a greater incidence of mental disorder than other poolroom groups and also that African Americans are significantly overrepresented in it” (Polsky 1967, 95). In keeping with the Chicago approach, he, nonetheless, insisted on treating the decision to become a hustler as a deliberate and rational career-choice attractive mainly to bachelors from lower-class milieus and minority groups. It offered them distinct advantages such as flexible hours and the fact that it could be pursued next to other activities. The hustlers prided themselves both on versatility in their ability at pool and billiards as well as trick-shots, but also the versatility in the types of hustles and side-hustles they had mastered.

By the middle of the twentieth century hustling was a more widespread phenomenon in sports such as tennis (Bobby Riggs) and golf (Titanic Thompson). But at a time when professional sports (especially in golf and tennis) were often still an exclusionary ‘gentleman’s’ activity, and when other sports were still segregated, there was a possibility for an alternative circuit of commerce to emerge in, for example, pool halls (Mahigel and Stone 1976). In these constrained, and as Polsky emphasized *contained*, settings an embryonic version of an alternative internal ethos developed. Pool hustlers prided themselves on their autonomy and Polsky already compared them to small businessmen: “In most of his job activities, and in all that are truly essential, each hustler is basically an individual entrepreneur” (Polsky 1967, 69). Among the hustlers there was a great deal of respect for players with versatility, the rhetorical skills to make games (deals) and who had

'heart', the ability to play under pressure. The ethos which developed matched what fellow Chicago sociologist Walter Miller identified as focal concerns for lower class youth: "trouble (with the law), smartness, excitement, fate, toughness ("heart"), and autonomy" (Polsky 1967, 71–72).

Polsky already detected the germs of a more systematic critique in which the hustlers took the "view that every man is at bottom a con man (...) its principal corollary is the view expressed by hustlers, by other career criminals, and by Thorstein Veblen, that all businessmen are thieves" (Polsky 1967, 62). The ethos of the pool players, a resource that was developed over time, was primarily internal: it provided a clear identity with a respected set of skills and strategies to the hustlers. Within the IAD framework (Ostrom 2005) this means that it shaped the positions which the actors occupied and the resources at their disposal. But hustlers also sought to justify their own deceit, to each other, and to society at large as is evident in their idea that everyone cons others. This is part of the criteria of evaluation which hustlers used to justify their actions.

### *3.2. Internal and External Criteria of evaluation*

The concept of 'hustling' spread gradually from the pool hall to prostitution and drug markets, until the verb came to have a more general meaning for (partly) illegal or low dignity economic activities, invariably with an element of deceit. Recent fieldwork has focused on inner-city neighborhoods (Ganzert 2020) and a good example of such fieldwork in the Chicago tradition of sociology of deviance is Teresa Gowan's *Hobos, Hustlers and Backsliders* (2010). Of interest to us is the fact that her study of homelessness in California distinguished between three types of rhetoric, or talk: sin-talk, system-talk and sickness-talk.

These reflect the alleged origins of the problem of the homeless as expressed by the actors in the study and are of importance for the elaboration of the criteria of evaluation.

Sin-talk blames the person and his or her (moral) choices, system-talk blames discrimination and failed policies and sickness-talk treats homelessness because of underlying mental illness. She locates the hustler ethic in the sin-talk category as the hustlers in her study “adamantly refused to play the victim (...) their sins were all they had” (Gowan 2010, 71). At first instance this might seem paradoxical, but Gowan shows that the hustler ethic arose out of the appropriation of categories which were used to marginalize young black men.

Where Gowan focused on the homeless people at the absolute margins of society, Venkatesh (2006) described an entire informal economy where hustling is the main economic activity that everyone from single mothers, to preachers and car dealers pursues.<sup>5</sup> His study shows how hustling has become pervasive as a mode of self-understanding, not merely for those at the absolute margins of society, but for entire communities and neighborhoods in urban America. In Gowan’s study the hustler ethic is presented as mostly a coping mechanism and way of dealing with setbacks. The good and the bad ‘were all part of the game’ and a result of one’s ability to hustle: “despite their losses the homeless hustlers often remained loyal to the game (...) clinging to a sense of agency, the hustlers presented their identification with the street as a fundamental moral orientation” (Gowan 2010, 108).

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<sup>5</sup> The TV-series *The Wire* drew a direct parallel between the hustlers working on the streets and the corrupt politicians in Baltimore, a link that was also drawn by the entrepreneurs in one of the field studies (Venkatesh 2006, 125).

Whereas hopelessness dominated in Gowan's analysis, Venkatesh has a keen eye for how hope and dreams are essential to the hustler ethic. As he argues: "inner-city dwellers define their relationship to work less in terms of their present occupation and lifestyle, and more in terms of their future vocation and unrealized lifestyle" (Venkatesh 2006, 100–101). He portrayed this as a response to the fact that gradual improvement is unlikely in an environment in which one will inevitably be sucked back down, so one must dream big or not dream at all.

An ambivalent relationship to the future is a characteristic element of the hustler ethic. The focus of their activities is on opportunities in the present. Venkatesh presents the hustlers as a kind of market-makers who are in the know and always able to connect those who supply and those who are in need which each other. This ability to create opportunities, to set up a hustle (what the pool hall hustlers called 'making a game') and to be 'in the know' is more important than specialization.

But whereas Polsky highlighted the special praise reserved for versatile (pool) players, Venkatesh emphasizes the ability to start anew and to change one's hustle becomes a defining element of the ethic. The goal is always to make money in the here and now, rather than to specialize in one activity. The near future is highly uncertain since the police might always break up one's business, or else one might be robbed or be hustled by someone else. In the face of uncertainty, diversification is a must. The ability to start afresh and to overcome setbacks is praised. This gives rise to an ethic which is focused on the short-run but matched with great hopes and aspirations for the future, which justifies the hustles and risk-taking in the present (for a micro-economic analysis of the trade-offs see Levitt and Venkatesh 2000).

When we analyze the criteria of evaluation it is important to consider them from the subjective perspective of the actors. Gowan's analysis highlights that there are multiple actors with different evaluative criteria. The social workers and policymakers evaluate drug addiction as a mental illness. The addicts and small-time dealers she studied see themselves as hustlers with agency, who take risk because they want to, not because the system or mental illness compels them to do so.

An example of contesting external criteria of evaluation is the response to the Moynihan Report called *The Negro Family: A Case for National Action* (Moynihan 1965) which stigmatized black communities and problematized behavior essential to getting by at the edges of society. As a response to this evaluation (young) black men would come to appropriate apparently negative concepts like 'the streets', 'black' (and 'nigga') and used them as tokens of pride. According to Teresa Gowan this was how hustlers sought to define their autonomy: they were not *on* the street (as in having lost their home), but *of* the street. Even when they received formal support, they argued that they were 'working the system', benefitting at the expense of others. They had an: "Unbelievable ability of turning sludge into gold, anomie into bravura" (Gowan 2010, 108), to assume virtue even if they had none.<sup>6</sup>

Gowan recognized that some of the sin-talk (or perhaps we should say virtue-talk, because the hustlers were seeking a way toward autonomy and hope in bleak environments), was combined with system-talk. This took the form of the argument that since the system was rigged, it was legitimate to game the system. A study of formerly incarcerated individuals,

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<sup>6</sup> In a related study on hustling in the street Shakespeare is invoked: "They pretend the future is bright. Shakespeare said it best: if you have no virtue, assume one" (Venkatesh 2014, 233).

highlighted that they relied on the notion of hustling to describe how they were cheated by the officers in the reintegration programs (Caputo-Levine 2021). Hustling thus becomes not only a way to make sense of their own activities, but also of the way that they are taken advantage of. Within a corrupt system nobody plays by the rules and the prudent thing is to hustle, so everyone adapts. This system-talk delegitimizes the evaluative criteria which are imposed on the community from the outside. The systemic critique part of the hustler ethic is thus essential in navigating the tension in the 'official' or mainstream evaluation criteria, and the evaluation criteria within the community.

As Dan Cole argued, "when members of the relevant community evaluate outcomes of social interactions as "bad" (according to whatever criteria), they may push (successfully or unsuccessfully) for further action ... to alter or curtail "bad" outcomes" (Cole 2014, 63). This push can take the form of pursuing another set of activities, which are evaluated more positively by outsiders. But it can also take the form of the search for an alternative justification of existing activities. This will most likely take the form of a kind of parallel moral and institutional domain which exists next to the formal economy. Recent critical work has employed the notion of 'undercommons' to refer to such a parallel action arena (Harney and Moten 2013). They do not refer to the formal work on the commons in economics, but the idea resonates well. The undercommons are areas for deviance, alternative action arenas like the pool hall or the informal urban hustling economies. Within them an alternative ethic, critical of formal institutions can arise. Moten and Harney speak of fugitive planning, and "to insist on the honor of the fugitive community" (40). It is to the question of the honorability of the hustler that we now turn.

### 3.3. *The Dignity of the Hustler*

To do justice to the complexity of the rise of the hustler ethic, especially within African American communities, it is important to distinguish it from the ideals of the Civil Rights era. The contestation of values around the hustler ethic took place not only between the evaluation criteria of policymakers and the urban African American youth. The hustler ethic was, and remains, in tension with other ethics *within* African American communities. A good illustration of that tension is the analysis by Margaret B. Wilkerson of the Lorraine Hansberry's play *Raisin in the Sun* (Hansberry 1994).

The play revolves around the question what to do with a windfall gain, \$10,000 from an insurance company. Lena, the mother, wants to invest it in the house, but Walter Lee, her adult son, has grown frustrated with his dead-end job and lack of progress. After making a down payment on a house in an all-white neighborhood, Lena and Walter Lee fall out and the money ends up in the hands of the son, who believes that "money itself is synonymous with life". He is however soon conned out of it by 'a partner', which makes him reflect: "there ain't nothing but taking in this world, and he who takes most is smartest – and it don't make a damn bit of difference *how*" (Hansberry 1994, 10). He thereby renounces the dreams of his parents for integration into middle-class society through hard-work and assimilation. Although in the play Walter repents and is ultimately reunited with his mother, bell hooks (the pen name of Gloria Jean Watkins) suggests that Walter Lee foreshadows a new ethic:

in the old version man as worker, as patriarchal head of the household and provider, matters; in the new version, man as worker is a slave or cheap laborer (...) by the late

sixties and early seventies most black men had made the choice to identify their well-being, their manhood with making money by any means necessary.

(hooks 2004, 16)

This decision was one that involved a different evaluation of the relative dignity of both options. Watkins cites Julius Lester:

[Why] waste your life working at a job you hate, getting paid next to nothing, when you make more money with half the effort. So, a new class is created, the hustler who gambles, runs numbers, pushes drugs, lives off women, and does anything to avoid going to “meet the man” five days a week. (hooks 2004, 18)

The notion of class is potentially misleading here because it is not evident that something changed in the material conditions of young black men. This might have been the case, because minimum wage laws drove them out of the labor market, or because the real wages of low skill workers were stagnant or declining (for a discussion see Borjas, Grogger, and Hanson 2006). We are primarily interested here in the change in moral perspectives, in the ethic. Nathan McCall recalled the same generational divide in his memoir:

my stepfather, believed that you had to ignore all the shit that white people dished out and learn to swallow your pride for survival’s sake (...) cut from the civil rights mold, he believed blacks could overcome racism by slaving hard and making do with what little they had. (McCall 1995, 86)

McCall’s generation, on the other hand, refused to accept the daily disrespect and the lack of dignity they found in regular jobs. This illustrates that what changed was in direct

contrast to what a simple look at the institutional context might have suggested. In 1968 the final part of the Civil Rights Act was passed and the *de jure* institutions did change. But it was something in the moral sense which had shifted in the opposite direction. The hustler ethic altered the aspirations of many young urban black males.

Referring to the hustler ethic in a critical study of *The Hip Hop Generation*, Bakari Kitwana wrote:

What is most often missing from Black gangster films and popular discussions of Black youth are those who find the possibility within the hopelessness. This is what makes rappers like Jay-Z and b-ballers like Allen Iverson so messiah-like to today's Black youth (...) Hip-hop generationers identify with not only their success *but where they came from, who they continue to be, and the success.*

(Kitwana 2002, 147, emphasis added)

What Kitwana captures is that the appeal of the hustler identity does not merely lie the fact that it allowed one to make sense of a marginalized position, but that it also provided a path towards success with dignity. A path which did not require one to give up one's identity, as they felt had been true of the emancipation strategy of the previous generation. Studies of the hustler ethic single out hip hop culture as the most important form of representation of the aspiration hustler ethic, but its origins lie earlier (Garnes 2009; Naumoff 2014).

Most accounts of the rise of this ethic highlight the role of the blaxploitation movies, such as *Sweet Sweetback's Baadasssss Song* (1971) and *Shaft* (1974) are cited as early portrayals of the hustler ethic. The movies contained over-the-top violent and sexual narratives in which black characters could shape their own world and destiny and get over on 'the man'. In

literature it was reflected in the books by Donald Goines such as *Inner City Hoodlum* (1975), which later became a standard point of reference in hip hop, as well as the *Autobiography of Malcolm X* (Malcolm X and Haley 1965). This development was inspired by Black Power ideology which gained influence during this period (Garnes 2009).

Bell hooks again illustrates the shift poignantly:

Black power militants were ruthless in their critique of capitalism. They unmasked the corruption in the labor force in America announcing for the black man that whether or not he had a legitimate job, one that would give him value in the eyes of white folks, no longer mattered since nothing about the capitalist system was legitimate. Within that system everybody was a thief, everybody a gangster, everybody on the take. (hooks 2004, 15)

This critique sought to unmask the strategy of middle-class integration as well as the double standards by which the labor market operated and condemn what it perceived to be a fundamentally corrupt set of institutions. Therefore, the hustler, who had always defied legal rules and simple boundaries between 'legit' and 'straight', became an aspirational character. Facing a perceived lack of access to formal markets, illicit and illegal economic activities were always a possibility for individuals. The importance of the hustler ethic lies in the fact that it justified a morally dignified response to the situation that certain groups, especially black urban youth in the United States, found themselves in.

While the hustler ethic and the associated imagery became intimately associated with hip hop culture as the various studies of the ethic illustrate, this process was not immediate or without resistance. During the 1980s rap music, to the extent that it was socially engaged,

primarily commented on the living conditions in the 'concrete jungle' but its message was uplifting as exemplified by Grand Master Flash & The Furious Five song 'The Message'.

Toward the late 1980s a generation of politically motivated artists, headed by Public Enemy, used extensive black power imagery and Five Percent Movement rhetoric, and sought to critique the existing order. Their language was, however, still that of political and social organization and black emancipation into a new culture (Public Enemy, for instance, swore off jewelry).

It was only in the mid-1990s, that rappers, particularly in New York, started to fully adopt the hustler persona and identity. One of the crucial albums of the late 1980s was Boogie Down Productions *By All Means Necessary*, a phrase popularized by Malcolm X. The album's title referred to both the political revolutionary imagery associated with the phrase as well as the mindset of kids on the streets of the South Bronx. This dual meaning was increasingly reduced to a mindset which defied traditional rules and sought to achieve personal success. 'Everyday Struggle', a song from the debut album of Notorious B.I.G., drew on the political notion of the 'struggle' central to the Civil Rights generation (Kitwana 2011), but in the new imagery it became the personal struggle to get by.

This appropriation and transformation of ideals did not go unnoticed to the Civil Rights generation. Civil Rights activist Cynthia Delores Tucker, who had marched to Selma, became one of the most vocal critics of the gangster rap, frequently joined by Al Sharpton and Jesse Jackson (Ogbar 1999). The hustler identity became embodied by Jay-Z, whose album opener 'Can't Knock the Hustle' from his debut album *Reasonable Doubt* set the tone for much of his later work:

You ain't having it? Good, me either

Let's get together and make this whole world believers  
At my arraignment, screaming  
All these blacks got is sports and entertainment, until we even  
Thieving, as long as I'm breathing  
Can't knock the way a nigga eating.

Early in the song he denounced those who were 'punching the clock', now he set himself the task to make 'the whole world' believe that hustling was the right way to go. Jay-Z reflected frequently on the hustler ethic and what it symbolized to him, most prominently in his book *Decoded*: "hustling is the ultimate metaphor for the basic human struggles: the struggle to survive and resist, the struggle to win and to make sense of it all" (Jay-Z 2010, 21). Just like the field-study by Gowan, Jay-Z invoked Shakespeare:

Assume a virtue if you have not  
Or better yet here's a verse from Hamlet  
Lord, we know who we are  
Yet we know not what we may be."<sup>7</sup>

His lyrics play with the stigmatization of knowing that one is stigmatized and stereotyped, but also with the aspiration of making it nonetheless, by both defying social expectations and social norms. In the ethic which Jay-Z depicted the combination of the struggle and the courage, required to shape one's own destiny, became essential. *Decoded* reflects on how hustling depended on being able to con people and how this is mirrored in the slang and the bending of language as it occurs in hip hop, the deceit takes on a more metaphorical

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<sup>7</sup> Jay-Z 'Marcy Me', from album *4:44*.

meaning. Jay-Z emphasized the wide variety of skills which hustling required: a great memory, quick judgement of character as well as tremendous confidence: “the key to success was believing in the quality of your own product enough to make people do business with you on your terms” (Jay-Z 2010, 53). It is a set of skills like the one identified in the field-studies about hustling in the streets and harked back directly to the ability to ‘make a game’ as described by Polsky.

But it was the hope and imagination that the hustler ethic embodied which attracted most attention. The career successes and business ventures of artists like Jay-Z became inspirational narratives which turned the hustler into an aspirational figure. There had always been that dream that hustling would pay off in a major way, as he rapped on his debut album: “I’d rather die enormous, than live dormant.”<sup>8</sup> The dream was no longer ‘getting out of the game’, a recurring theme in the field studies on hustling. The dream became ‘to shape and control the game’. The motivational aspect of the hustler persona was later explored by artists such as Young Jeezy, who invoked a street gospel, and Nipsey Hussle, who rapped:

Forget about the risk we took, I never can  
Rebel in this white man’s world until they bury him  
Bein’ broke is so un-American  
That’s why I’m screamin’, “All Money In!”<sup>9</sup>

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<sup>8</sup> From the song ‘Can I Live?’, album *Reasonable Doubt*.

<sup>9</sup> From the song ‘Keys 2 the city’, album *The Marathon*.

The combination of business-savvy and independence was cultivated by Jay-Z through his lyrics and his commercial ventures (Dyson 2019). When the established labels had turned down his debut album, he set up his own label: Roc-A-Fella Records, subtly named after John D. Rockefeller. Later he would set-up his own clothing brand, his own champagne brand, urged artists he signed to start their own labels and, in his lyrics, told that rapping was just one of the jobs, while his ethic was that of the hustler: “I am just a hustler’ disguised as a rapper.”<sup>10</sup>

Naumoff (2014) described how Jay-Z was able to transform the image of the self-made man, the traditional American hero, into the image he depicted of himself, the black drug-dealer from the street turned billionaire. Rose (2011, 124) has compared Jay-Z’s persona to James Gatz, the character from the *Great Gatsby* who gained access to the upper echelons of society through the bootlegging industry: “both demonstrate the possibility of rising from rags to riches in the United States by any means necessary”. Although she fails to observe that Fitzgerald created a clear distance to Gatz, through the narration of the story by Nick Carraway, while Jay-Z tells his story first-hand. As Naumoff concludes: “The primary figure’s emergence we have witnessed in the twenty-first century is the ‘hustler.’ He is the new self-made man. The hustler has captured the American imagination and *reconfigured the rules* of the boot strap myth” (Naumoff 2014, 111, emphasis added). The hustler identity became something to aspire to, an identity not merely with its own moral internal code, but an aspirational culture within hip hop culture and one with a degree of dignity in the eyes of society. The (imagined) hustler had seen through the illusions of playing it straight and realized that one had to fend for themselves, by any means necessary.

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<sup>10</sup> From the song ‘Prelude’, album *Kingdom Come*.

The emergence of the hustler ethic entailed that it was not merely a means to cope with marginalization and precariousness, but that relevant criteria of evaluation were changed (hustling activities were dignified) and finally that the hustler identity turned out to be a way to become financially successful *and* remain true to one's original deviant identity.

#### 4. Agency and the Hustler Ethic

The hustler ethic was an outcome of attempts to create agency and independence for individuals who were relatively powerless and dependent on a system which provided few attractive opportunities. Faced with these constraints the hustler 'gamed the system', developed a scam, or attempted to create a new kind of economic activity. The ability to imagine different positions that would come with a new set of opportunities as opposed to those assigned to the young black man, and his courage to defy both the moral and legal rules of the system was a consequence of an ethic which appealed widely. When successful, hustlers were able to redefine the configuration of the rules and resources that affected the situations they found themselves in. In the spirit of the epigraph, they refused that their position be defined by someone else.

The hustler ethic redefined what it meant to be successful for young black men: not integration into the existing positions within bourgeois society, but to take matters into one's own hands, and to develop one's own identity and criteria of success. Second, the hustler challenged the credibility of the existing rules which defined the means one might employ to achieve financial gain. In our analysis of hustlers, we showed how positions were contested and alternative identities and narratives created. This altered the evaluative criteria within communities and thus the paths open to achieve dignity and success in the eyes of one's peers. The transformation of the positions our actors got to occupy through

the stories they told had implications for what kind of power they could exert over their choices. As Mark Pennington, building on work by Michel Foucault, argued in a recent piece:

the 'discourses' that structure people's patterns of thought emerge through multiple and dispersed attempts by actors to assert their places in society and to exert influence over others (...) Discursive power is an emergent property that has 'no 'author' and cannot be attributed to discrete intentional acts or to the control of resources and positions of authority. (Pennington 2021, 3)

Emily Chamlee Wright and Don Lavoie argued along related lines: "While we do not choose the cultural influences which shape our perspective, we have it within our grasp to challenge inherited cultural norms. While an individual cannot wholly transform his cultural perspective, he can choose to broaden it, to amend it" (Lavoie and Chamlee-Wright 2000, 81). We have argued that the development of the hustler ethic, once it exited the pool halls and was appropriated by actors in the informal and street economy was such an effort at amending assigned positions, and cultural beliefs about what was dignified and undignified.

We relied on the interactionist sociology as developed in Chicago, focused on agency and emergence of norms, as well as on the more static IAD-framework developed at the Ostrom workshop. This juxtaposition of perspectives creates tensions: how was it that inner-city black men who faced numerous formal constraints were able to develop an alternative ethic and identity? We have chosen these contrasting frames because it mirrors the very tension we are investigating. In our perspective individuals are groping toward improvements, both within the institutional constraints they face, but also through attempts to alter the institutional rules.

Whether the hustler ethic was an improvement over the ethic associated with the Civil Rights Era remains contested, as is the fact whether it had any emancipatory power. Critical studies of the hustler ethic highlight how the emphasis on agency obscures structural constraints (Kitwana 2002; hooks 2004; Garnes 2009). The ongoing segregation in the major cities of America, the crack epidemic of the 1980s as well as changes in law enforcement resulting from the war on drugs in the 1980s and 1990s particularly aimed at inner-city youths (Parenti 2000). But bell hooks whose analysis we relied on above argues that, the hustler ethic is also problematic because the associated materialism is unsatisfying, and the activities the hustler engages do not have a purpose of their own (hooks 2004, 28). Her *We Real Cool* is an attempt to redefine the notion of cool away from the hustler ethic.

Garnes (2009) highlights how the dominance of the hustler ethic, especially in hip hop culture, has come at the expense of alternative identities for young black men (see also Neal 2005). Garnes highlights that the hustler ethic is essentially a masculine ethic, and demonstrates that this comes at the expense of women in hip hop, who have struggled to develop a separate identity (Kitwana 2002, chap. 4). He also worries whether the hustler ethic has lost most of its political edge and critical role and has become a constraining stereotype itself.

Such tensions are not lost on hip hop artists. Jay-Z on his recent album *4:44* still drew on the hustler ethic, but at the same time distanced himself from his earlier materialism. In 'The Story of O.J.' he recounts how O.J. Simpson, and by implication many other black men, believed that they could overcome racism through success. The song exposes that idea as an illusion. The album contains a systematic critique in which financial freedom and independence are combined with a sense of responsibility and intergenerational concerns.

The hustler's success he portrayed around 2010 had now given way to the realization that more is required in terms of economic change (Coombs 2019). On the final song of album 'Legacy' Jay-Z hints at an alternative economic model which is built on around multi-generational family legacies and black-owned businesses:

We gon' start a society within a society

That's major, just like the Negro League.<sup>11</sup>

He invokes the segregated Negro sports leagues of the first half of the twentieth century, but in the context of the album also clearly reached back to the initiative by Booker T. Washington to promote black-owned businesses through the National Negro Business League. It is an economic model of emancipation in line with the financial and entrepreneurial focus of the hustler, but now reimagined as a collective strategy of emancipation.

The ongoing contestation of the extent to which the hustler ethic provides or constrains agency can also be mirrored in the question over whether this ethic has been productive, unproductive, or destructive. Baumol argued that the effect of entrepreneurship depends on institutional quality (Baumol 1990). He argued that if property rights were well defined and enforced, and the government sector was relatively immune to rent-seeking activities, entrepreneurship would be wealth enhancing, that is, productive. By analogy, we ask what type of institutional conditions are likely to give rise to productive, unproductive, or even destructive ethics. We suggest that if markets are not properly ordered, in other words if the rules of property and contract are not well defined or if these rules apply differently to

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<sup>11</sup> Jay-Z 'Legacy', album 4:44.

different communities, then exchange interactions are more likely to give rise to undermining ethics. Some might perceive that as unproductive or even destructive, but our analysis illustrates that it should at the very least also be understood as a critique of the lack of inclusiveness of existing institutions, which failed to provide opportunities for certain marginalized groups.

Colin Williams and co-authors have studied in various contexts how illegitimate formal institutions impact the size of the informal economy (C. C. Williams and Horodnic 2016; N. Williams, Vorley, and Williams 2017). His work suggests that if informal norms are at odds with formal rules, individuals and social groups will feel justified in circumventing or breaking the formal rules. In this paper we have provided an account of the hustler ethic, which justified the circumvention and breaking formal rules as the pursuit of illegal activities for economic gain, as one response to the lack of legitimacy of formal institutions.

To sharpen Baumol's analysis of entrepreneurship there are two elements which need to be unpacked. First there is the complicated normative question about what should be considered productive, unproductive and destructive. This question has also been raised about Baumol's original typology and the main point raised that in second-best situations one cannot use first-best normative measures is equally relevant here (Davidson and Ekelund 1994; Henrekson and Sanandaji 2011). If deception is believed to be unproductive or destructive in well-ordered market transactions, it does not follow that it is also unproductive in other settings where formal legal protections are absent (Colombatto 2003). It is an insight encapsulated in the hustler phrase: "it's all in the game."

Second, there is the question whether hustling activities can be properly considered market activities. Our analogy to Baumol's reasoning rests on the idea that certain markets are

more likely to give rise to unproductive or destructive ethics. But one might argue that pool hall activities and some of the other economic actions which involve deception or theft should not be regarded as market transactions in the first place. This objection certainly does not apply to hustling in the drug trade or prostitution markets. And we should also avoid ending up in a place where the moral effects of markets can only be studied in institutionally well-organized market settings.

Nonetheless, the objection seems relevant to us. One way to salvage our argument that these are market activities would be to look at the underlying characteristics of market transactions, in particular their voluntary nature. Voluntary exchanges cover a much wider set of transactions than those that take place in markets. They may include, for instance, political exchanges (Buchanan and Brennan 1985; Podemska-Mikluch and Wagner 2010; Gwartney and Holcombe 2014). The analysis should then focus on the extent to which the element of deception that hustling involves, invalidates the voluntary nature of the exchange (Munger 2011).

We find that line of reasoning unconvincing, and incongruent with our broadly bottom-up subjectivist approach to economic activity. We therefore believe that it is more helpful to regard the hustler ethic in light of what McCloskey and others have termed the pursuit of honest profit (McCloskey 2016; Klein 2019). McCloskey provides a rhetorical analysis of the transformation of the meaning of 'honesty' to demonstrate how it went from an aristocratic virtue which meant 'worthy of honor' and came to signify a bourgeois virtue where 'honest' came to mean reliable and trustworthy (McCloskey 2016, chap. 25).

Just like the transformation in the seventeenth century that McCloskey analyzed, the rise of the hustler ethic is of importance because it challenges common understandings of what it

means to pursue an honest profit, who does it, and how. The cynical or nihilistic interpretation of the hustler ethic suggests that no one is pursuing an honest profit in the first place. The more constructive and emancipatory interpretation of the hustler ethic suggests that hustlers too are pursuing an honest profit and act with dignity, even though their circumstances force them to break formal rules while doing so. In this sense our analytical focus is on the different institutional conditions under which economic activities such as the pursuit of an honest income take place, and how these activities give rise to a corresponding ethic.

## 5. Conclusion

In the study of the moral effects of markets we should not restrict ourselves to the study of exchanges in settings where property rights are well defined, and exchange occurs on a voluntary contractual basis. Instead, we should pay attention to the effects of different institutional variations as they are found in the real world. Our analysis of the development of the hustler ethic suggests that if rules of property and contract are not well defined or if these rules are applied asymmetrically to different communities, then exchange interactions are more likely to give rise to alternative, potentially undermining, ethics.

We have argued that the hustler ethic represents a successful attempt to redefine the identity of marginalized African American urban youth, and therefore expanded the available set of strategies for economic ethic. This was possible through a reconfiguration of the evaluation criteria, a transformation at odds with both mainstream morals as well as alternative moral conceptions in the African American community, including the Civil Rights ethic.

By now the hustler ethic has been appropriated by many individual and social groups in marginalized position in the global economy. Hustling has become a key concept in popular and academic accounts of the gig economy (Oberholtzer 2016; Ravenelle 2019). An award-winning account of the life of a West-African bar girl is entitled *Hustling is not Stealing* (Chernoff 2003). What the hustler ethic challenges is what economic actions are legitimate, and it suggests that hustling is justified in certain circumstances, or in its stronger forms that hustling is a, or the only, dignified response to a corrupt or unjust system. This is what the otherwise somewhat unremarkable film *Hustlers*, with which we opened the paper, also asks: Are the strippers depicted in the film wrong for drugging and stealing from the Wall Street bankers which make up their clientele? The film is situated during the financial crisis when it turned out that much of the riches created by these bankers was based on illusions, after which they were bailed out. Does that context impact our answer to the question whether hustling is stealing?

In proper Chicago sociology of deviance fashion, our paper does not aim to answer that normative question, rather it demonstrates that an economic ethic, which justifies the recognized harms it creates by an appeal to the lack of opportunities *and* the fact that the broader economic system is not legitimate, is an example of an ethic which has developed has around specific economic activities. The hustler ethic is an attempt to make sense of the position of marginality in the economy, but also a critique of the legitimacy of dominant institutions, social (discrimination), market (lack of access), and state (policing and incarceration), which create significant barriers to integration into society.

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