Turning Tricks in Athens

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Abstract

This paper examines Aeschines's speech *Against Timarchus* to offer frameworks for rhetoric to examine the historical particularities of sex work. Drawing on feminist and queer rhetorics, this paper rereads *Against Timarchus* as well as scholarly receptions of the speech to discuss how Timarchus has been positioned outside definitions of rhetoric in ways that highlight the instability of definitions of rhetoric and state power. This paper argues that *kakos* and *atimia* are useful concepts for rhetorical historiographers for examining sex work in classical Athens, as well as interrogating the power structures upon which a given definition of rhetoric is derived from.

Turning Tricks in Athens

Over the past several decades, queer and feminist researchers have examined the ways in which genders and sexualities are rhetorical.[1] The interventions of these scholars have not only helped to recover the voices of those who have been left out of a rhetorical canon, but have helped highlight how gender and sexual practices have rhetorical valences, participate in the production and disruption of discourses of identity, and are used to manage the activity of bodies (Cox and Faris 6; Rawson 40). Despite the interventions of feminist rhetorics and queer rhetorics, sex workers have often been either excluded from examination, or have had their sex work omitted from scholarship. Perhaps this is due to what Faris notes as rhetoric and composition/writing studies' (and queer theory's) "aversion to sex," or because of the tension within feminist movements that can only permit discussion of sex workers as symbols at best (127, Mac and Smith 11). One of the only examples of foregrounding sex work in rhetorical studies, and not using sex workers as a symbol of the oppression of women, remains Heather Lee Branstetter's 2016 essay which contributes an intersectional queer and feminist ethnographic approach to researching the rhetoric of sex work and sex workers (Branstetter 384–385). Branstetter's work is important and informative, particularly in working toward the inclusion of sex workers within the rhetorical canon. This project works in concert with this effort to develop frameworks of "historiography… to survey a vast body of primary and secondary material in order to develop alternative rhetorical traditions, grounded in the constraints on" sex workers' bodies, realities, and discourse, while acknowledging the "project of liberal recovery risks replicating an unhelpful ideological individualism that fails to recognize the structural contexts of and possibilities for queer subjects to emerge" (Campbell "Consciousness-Raising" 60; Cloud (extending Biesecker) 25). Approaching sex work this way allows for rhetorical studies, and

particularly queer and feminist rhetorics, to redefine the available means for inventing histories and show sex work as always having been a part of our traditions with attention to how power apparatuses around our work have conditioned those means. Thus, I argue sex work frameworks for performing historical work can help show who or what we consider rhetorical; and how bodies and their sex and gender practices are managed and produced by power, rhetoric, and the state with greater nuance than examining sexuality and gender alone. Thus, this paper attempts a queer, feminist historiography of sex work that examines one historical speech that is frequently cited in both queer studies and rhetorical studies: Aeschines's *Against Timarchus*.

Against Timarchus is a speech delivered in 346/5BCE situated within the political rivalry between Aeschines and Demosthenes and is a part of the trial that would also produce the speeches *On the False Embassy* in 343BCE. Demosthenes, Timarchus, and at least one other charged Aeschines effectively with bribery and corruption in his dealings with Phillip II of Macedon. In response, Aeschines used the *dokimasia rhetoron*, or public scrutiny of the rhetors—meant to examine whether or not figures were able to address the assembly—against Timarchus. Aeschines's dokimasia ends up on trial, prompting Aeschines to deliver *Against Timarchus*. In the speech, Timarchus is accused of wasting his inheritance and having prostituted his person, two actions that would have prevented Timarchus from addressing the assembly. Aeschines succeeded in his case against Timarchus and was later acquitted of the charges brought by Demosthenes and Timarchus (Fisher 6–8).

My intention in examining *Against Timarchus* is not to recover Timarchus as a historical sex worker or an example of sex worker rhetorics: this would be impossible to do as Aeschines does not provide any evidence of Timarchus's sex work, nor do we have any writing of Timarchus himself. Rather, by examining how Aeschines is able to articulate Timarchus as a sex

worker, I demonstrate how silence is also imposed upon historical subjects by defining their being or their practices as outside of rhetoric.

Thus, I am building on the work of previous feminist and queer rhetorical scholars. Particularly, Glenn's work in articulating silence as a rhetorical act posits a new way of interrogating rhetorical action, agency, and reading canons of rhetoric as it asks us to consider silence as action and in archives absence as presence. Relatedly, Enoch offers us a way of looking at how our rhetorical attention is structured on some things rather than others, that what we forget is not incidental but a function of how public memory is deliberately and rhetorically structured (68).

I am also building off of queer historiographers. While queer rhetoricians have approached the examination of LGBTQ lives as well as challenges to cisheteropatriarchy, often having to work through historical erasure from archives and documents (*see* Morris), we ought to be critical of queer theory's often uncritical deployment of antinormativity and tendencies of structuring historical narratives on loss. Instead, I'm building my approach in this essay off of the work of Bessette, who argues that rather than viewing queerness as universally antinormative, we need to attend to the historical particularities of the gender and sexual practices we study; as well as the work of Arondekar, who interrogates the queer archive's reliance on loss and absence and argues for examining multitudes of sexuality that are so ordinary as to not necessarily be recovery work, but a skeptical rereading of archival presences (149, 117). A skeptical reading of *Against Timarchus* provides us with an opportunity to produce histories without reproducing the orientations of historiography that have predicated our historical understanding of such a well-studied text and require Timarchus to be 'recovered' as a

stable example of a male sex worker, or a stable identifiable sexual identity, or reproduce stable definitions of rhetoric and rhetorical effectiveness.

To accomplish this, I begin by positioning the speech within a greater historical context with particular attention to sex work in classical Athens to better put into focus the available means Aeschines is drawing on when articulating Timarchus's person and highlight how what is considered sex work is always a product of state power to regulate bodies and determine what kinds of sex commerce are permissible. These particularities allow me to then develop *kakos* and *atimia* as two undertheorized concepts and frameworks that help pull into focus how sex work is conditioned beyond the available means of persuasion, allowing rhetorical historiography of sex work to challenge what rhetoric is and how its history functions by destabilizing the central state apparatuses that conditioned the silence acted upon sex workers. Lastly, I discuss how interrogating Timarchus as a sex worker and the concepts of *kakos* and *atimia* contribute to rhetorical historiography and studies as well as queer and feminist rhetorics.

Positioning the Prostitute

While numerous works have considered how Timarchus's sexuality is constructed within the speech—for instance, Dover's foundational *Greek Homosexuality* and Foucault's *History of Sexuality vol. 2* center much of their analysis on Aeschines's speech—none have given explicit attention to how the politics of sex work have been mobilized against Timarchus within the speech and analyzed the connections between sex work and rhetorical agency. After all, Aeschines does not get the crowd to assign Timarchus *to the pederasts*, or to shout *he's a euruprôktos*,[1] but to assign him "to the prostitutes (πόρνες)" (126–127). Given that Aeschines

[1] *Euruprôktos* literally translates to "wide-anus" and was an insult directed at men who were penetrated during same-sex sex; however, as T.K. Hubbard notes, the epithet was not only thrown toward men known to have been penetrated as many Greeks assumed that the *beloveds* grew up to be *lovers* in pederastic relationships (55).

provides no evidence or witnesses of Timarchus's engagements with sex work, but succeeds in convincing the jurors of Timarchus's guilt, in this section I endeavor to parse out what is meant by *prostitute* in Aeschines's speech, as well as how this *prostitution* was built through the speech. By understanding the historical particularities of what is meant by *prostitute*, we can develop a rhetoric of sex work attentive to the available means.

Prostitution is a political word, and presents challenges to how we go about conducting historical work. *Prostitution* refers to particular categories of sex work that are constructed to enable certain kinds of sex work rather than others, for certain bodies rather than others; which is also to say that the term *prostitute* is rhetorically situated for particular political effect (Kaye 40). Kaye reminds scholars to change their perspective on discussing prostitution away from "a trans-historical category, common to all periods," to find that "one might begin to see the way in which the very definition of the term allows for some ambiguity, enabling it to be used by both outsiders and participants as political tools" (38). Attending to the historical particularities of sex work, in other words, allows us to see how *prostitution* is a product of rhetoric to determine who or what is allowed rhetoric.

Aeschines begins his speech with many long readings of laws, but does not begin with the laws on self-prostitution. Rather, he begins by reading Solon's law, a series of regulations meant to protect Athenian young men and boys by limiting interactions between teachers, coaches, and their pupils: teachers and coaches were not allowed to be alone with their pupils or to be at the school after dark (Aeschines 8). After this, Aeschines reads the law protecting Athenian women, young men and boys, and slaves from certain forms of sexual violence (Aeschines 12). It is only after reading these laws that Aeschines does not accuse Timarchus of breaking that he reads the law regarding self-prostitution:

> If any Athenian shall have prostituted his person (έταιρήση), he shall not be permitted to become one of the nine archons, nor to discharge the office of priest, nor to act as an advocate for the state, nor shall he hold any office whatsoever, at home or abroad, whether filled by lot or by election he shall not be sent as a herald; he shall not take part in debate, nor be present at the public sacrifices… If any man who has been convicted of prostitution act contrary to these prohibitions, he shall be put to death. (Aeschines 20–21)

By reading laws regarding sexual abuse and violence before reading the law of self-prostitution, Aeschines puts the self-prostitute on the same moral ground as the perpetrators of other sexual crimes, and asserts that someone that engages in *porneia* (πορνεία) poses as great a social and legal threat to Athens as other sexual criminals. Further, this direct reading of the law reminds the audience not only of the legal status of male sex workers in classical Greece, but also of who is allowed to speak—and that speaking is an enforceable and exclusive right of some whose stakes are life and death.

However, when we look at the law, we can also see that, in the case of 4th Century Athens, to engage in *porneia* was not a crime, but was instead permitted as long as other prohibitions were upheld. *Porneia* was a taxable profession like many others, and had legal restrictions like many others (Sparathas 176). What is of interest is not the sex work itself embedded within *porneia*, but its legal consequence: to engage in *porneia* was to remove oneself from political life in Athens (Lanni 46). This is not to suggest that engaging in *porneia* was accepted or celebrated. Rather, the effect of *porneia* laws constructed *porneia* as a category of work for those without access to other forms of capital, unfit for citizens of Athens, which is why the consequence restrict only rights allowed to citizens of Athens (Friedman 9). Citizens of Athens who engage in *porneia* were thus failures of the imagined *good citizen* and thereby

denied the rights of the *good citizen*: to engage in *porneia* as an Athenian citizen, in other words, was to involve yourself in a different class-structure.

The figure of the prostitute thus was a figure of shame, contempt, and disgust, and was frequently evoked as a youthful male willfully throwing away the values of Athens to engage in shameful sexual acts (Sparathas 174). Friedman argues that this is how Aeschines won the case against Timarchus: "Aiskhines in essence won the trial because he was able to remove Timarkhos from his class" (9). By ascribing *porneia* onto Timarchus, not only did he forgo his rights that Athenian citizens would have had, but he was then subject to treatment by his peers as something other than a citizen, or as a failed citizen.

We should, too, parse *porneia* as sex work comprised of sex acts, which is to say that *porneia* is only one sex economy present in 4th-Century Athens. If we turn our attention toward other forms of sex work/sex commerce, such as *pederasty* (παιδεραστία), we can further contextualize the charges Aechines brings against Timarchus, and help show how sex work is being defined differently depending on the patrons and exchanges for sex embedded within these economies.

Pederasty is far more well studied than *porneia* tends to be, particularly in rhetorical studies in which significant attention from queer rhetorics and ancient rhetorics scholars has been spent understanding *pederasty*, especially since it is figured so prominently in one of the Greco-Roman canonical texts: *Phaedrus*. *Pederasty* was a same-sex sexual relationship between an older man, or *erastes*, meaning *lover*; and a younger boy, or *eromenos*, meaning *beloved* (Martin 141). And while these relationships may have been more acceptable than those afforded by *porneia*, they were still legislated and developed in the terms of a relationship to the law. Martin writes that these relationships were permitted "so long as the older man did not exploit his

younger companion purely for physical gratification or neglect his education in public affairs" (141). Pederastic relationships were thus one of trade: the beloved traded sex for education and mentorship into the public life of an Athenian citizen.

Calling attention to how trade and labor underpin pederastic relationships highlights the necessity of looking at the historical particularities of these same-sex sex economies, particularly when we account for the ways in which scholars have discussed pederasty previously as indicative of classical Greek understandings of same-sex sex relationships outside of sex commerce. For instance, Dover's pivotal work around pederasty recovers the practice as indicative of classical Athens's general acceptance of same-sex sex, attempting to confront a paradigm of studying pederasty-as-initiation (20, "Greek Homosexuality"). Dover seems to need classical Greek pederasty to evidence historical precedent for more contemporary same-sex sex practices, but tends to ignore the contingent historical particularities of classical Greece. However, highlighting historical difference is not enough on its own. For instance, Halperin develops a project deeply invested in highlighting the vast age differences between *erastes* and *eromenos*, needing pederasty to be initiation to show that it is not a historical precedent of more contemporary same-sex sex relationships. Both views have investments, however, in understanding pederasty in terms of relationships to contemporary Western (and American, for that matter) understandings of cis gay male subjectivity and sexual politics, and both study pederasty as though it were viewed monolithically by classical Athenians. Hubbard, instead reads the Attic comedies to show that *pederasty* was not viewed as a monolith, but positions *pederasty* as a classed institution available only to the upper classes of men and boys (49). For instance, he quotes from *Plutus*:

Chremylus. They say that the Corinthian whores pay no

heed,

Whenever a poor man happens to approach them,

But if a rich man does so,

They wiggle their ass in his direction right away.

Carion. And they say that boys do the same thing,

Not for the sake of lovers, but for money.

Chr. Not the good and noble boys, surely, but the male whores.

For the good and noble ones don't ask for money.

Ca. What then?

Chr. One wants a good horse, another asks for hunting dogs.

Ca. Perhaps because they are ashamed to ask for money,

They cover their baseness with pretense. (52)

The suggestion, for Hubbard, then is that *pederasty* for some (particularly those not in upper-classed positions) was no different than *porneia*. Indeed, in Hubbard's own reading of *Against Timarchus*, he alludes to this being why the accusation of prostitution was so effective. I argue this, while being more nuanced than the arguments put forward by Dover and Halperin, is still an argument for the reading of *Against Timarchus* in terms of a gay identity as we are still examining Greek views of same-sex sex practices instead of examining these practices within sex economies and as forms of labor. The initiation hypothesis cannot be dismissed out-of-hand, but should be separated from our understanding of same-sex desiring subjects and instead viewed by the relationship and exchange of sex-for-mentorship or sex-for-education. In this view, *porneia* and *pederasty* have more to do with each other as forms of sex commerce and sex

work with differing legal apparatuses around them than *pederasty* does with classical Greek perspectives on same-sex sex.

What is interesting about this is that both *pederasty* and *porneia* denote kinds of sex commerce that exchange different kinds of capital for same-sex sex and are defined in terms of their rhetorical responsibilities through Athenian law. And, in the case of Timarchus, what kind of sex commerce he engaged in (or didn't) is entirely what is at stake in his ability to speak before the assembly or be penalized for breaking the law. In other words, the framing of Timarchus as a prostitute draws on nebulous definitions of different kinds of same-sex sex commerce that are situated differently in Athenian law for political and rhetorical effect. This is significant toward understanding what the rhetorical effects are in that we are able to demonstrate how sex work is a construct *of* Athenian law and how Athenian law regulates bodies. Thus, Timarchus represents a threat to the establishment of that law and the system that regulates what kinds of sex commerce are permissible.

Kakos Appeals

Aeschines won his case not by supplying evidence of an act committed, as I will discuss more thoroughly below, but by refiguring Timarchus as not only arhetorical, but antirhetorical. The distinction between these highlights the threat to the state structure and how the state structure is tied to what is considered rhetorical. He does this through what we might call a character assassination in contemporary political terms; however, it might be more interesting and valuable to consider Aeschines's speech as developing Timarchus as a different rhetorical force, as *kakos*. By *kakos*, I'm drawing on Sluiter and Rosen's work with the term through classical antiquity in which they ask us to think about the *kakos*'s meaning of *evil*, *badness*, *shameful*, *anti-value*, and so on not only as evaluations, but as value-laden constructions that can

equally become sites for inquiry (8). Sluiter and Rosen's conception of *kakos* contributes to the term's origins in rhetorical history: one of the earliest examples of the use of *kakos* in rhetoric occurs in the anonymous author of the *Prolegomena in artem rhetoricam*'s account of the case between Corax and Tisisas in Syracuse in the first half of 5th Century BCE Syracuse, where the judge over the case throws out the dispute between student and teacher, saying, "κακοῦ κόρακος κακὸν ᾠόν," or "from a bad crow, a bad egg" (Rabe, 26, 11). As I will make clear below, the badness of the Syracusean magistrate as well as the badness of Aeschines are not simple attacks on character, but a construction of a character counter to state and class power structures.

By constructing a subject through *kakos*, however, Aeschines shows us that it is not that the subject is simply arhetorical, but that the subject should be considered a kind of anti-rhetorical subject—that the subject's position, character, or actions represent an unrecognizable or threatening deviation from established understandings or definitions of rhetoric. As rhetorical historiographers, *kakos* can also provide us ways to fundamentally reimagine rhetorical acts by exposing or calling attention to the structures that lead to the value judgement embedded in *kakos* as a concept and descriptor.

It is through the power of that construction that Aeschines is able to separate Timarchus from the class of Athenians able to address the assembly and provide little to no evidence or witnesses of monetary exchange for same-sex sex. Hubbard notes that Aeschines supplies no evidence that any of Timarchus's lovers ever actually paid Timarchus for sex and he fails to provide any witnesses willing to claim that he even engaged in sexual practices with any of the men Aeschines says he did (63). But instead Aeschines builds up Timarchus's "shameful private life" to distance Timarchus's subject from the class of citizen of the assembly (Aeschines 7). Aeschines describes his claims:

> First of all, as soon as he was past boyhood he settled down in the Peiraeus at the establishment of Euthydicus the physician, pretending to be a student of medicine, but in fact deliberately offering himself for sale, as the event proved. The names of the merchants or other foreigners, or of our own citizens who enjoyed the person of Timarchus in those days I will pass over willingly, that no one may say that I am over particular to state every petty detail. But in whose houses he has lived to the shame of his own body and of the city… that I will speak. (37)

Already, while Aeschines is only just beginning to set out on his speech against Timarchus, laying charges, Aeschines is managing the type of evidence required to make his claims while still building up the *kakos* of Timarchus's person. He goes on:

> The truth of this story is known to everybody who knew Misgolas and Timarchus in those days. Indeed, I am very glad that the suit that I am prosecuting is against a man not unknown to you, and known for no other thing than precisely that practice as to which you are going to render your verdict. For in the case of facts which are not generally known, the accuser is bound, I suppose, to make his proofs explicit; but where the facts are notorious, I think it is no very difficult matter to conduct the prosecution, for one has only to appeal to the recollection of his hearers. (41)

Making Timarchus's *kakos* present is enough to change the audience of the trial into his witnesses he needs to evidence the existence of that *kakos* and for it to be judged as badness, evil, or a threat.

Indeed, after building up this unverified claim, Aeschines then asks Timarchus to be judged on the basis of the binary he constructed, helping to structure the outcome. Aeschines says, "To which class do you assign Timarchus—to those who are loved, or to those who are

prostitutes?" (127). After the crowd apparently shouts back that Timarchus is to be assigned to the prostitutes, he continues, "You see, Timarchus, you are not to be permitted to desert the company which you have chosen and go over to the ways of free men" (127–128). And yet, what is being asked of the assembly to vote on is not the guilt of whether or not Timarchus had indeed prostituted himself and then spoken before the assembly—instead, Aeschines removes the event from the vote and asks whether the assembly *sees him as* a prostitute as the basis for his argument.

This has led many contemporary historians to view his remarks as ad-hominem or swift-boating rhetorical strategies (see Cook; Hunter). However, as Cook notes, the swift-boating used in Aeschines's speech is not simply character assassination, but "a complex substrate of socio-political opinions and assumptions and, while appearing to focus on a specific detail… it deploys all the moral weight and immense compass that the underlying knot of gut-felt beliefs invoke" (219). Which is why I am choosing here to center *kakos* as an underdeveloped rhetorical appeal and am not framing Aeschines's commentary on Timarchus as something closer to classical understandings of *ethos*. *Kakos* may be a kind of *ethos*, but one that runs counter to cultural assumptions and values that is not permitted to be legible to those values. Differently, *kakos* may represent a kind of rhetoric that is *anti*rhetoric—something outside the available means of a definition of rhetoric that threatens the stability of that definition.

Kakos, as a rhetorical appeal is an appeal to the removal of a subject or action from what is permissible or acceptable—an attempt to elicit disgust from an audience. Sparathas notes that Aeschines's appeals to disgust are politically and rhetorically effective as "rhetorical uses of disgust are dangerous, because they dehumanize their targets and therefore facilitate social violence" (190). It is this facilitation of social violence that comes with these appeals that allows

the audience to easily render their verdict against Timarchus, punishing him with *atimia*, or without honor or value which stripped all rights of citizenship from Timarchus. Rendering Timarchus *atimos* merely materializes Aeschines's claim that Timarchus is a *not*-citizen, or a *failed*-citizen, or perhaps a threat to citizenship. In the same way that the Syracusean magistrate points out that from a bad crow comes a bad egg, the existence of the bad crow spreads and is not permissible as it threatens the stability of the metaphorical flock, introducing something *other* than ethos into rhetoric (Rabe 26, 11). Thus, though Cook claims that Aeschines wins his case by framing Timarchus as a *bad citizen*, it might be more accurate and useful to understand Aeschines's rhetorical strategy as framing him as *not-citizen* (221).

Atimian Rhetorics

The distinction above between *ethos* and *kakos* that leads to discussing Aeschines's success in terms of whether Timarchus is a *bad citizen* or a *not-citizen* is useful to note as Aeschines continues this kind of maneuver throughout his oratorical career, namely against his other accuser, Demosthenes (*see* Pasini). Cook demonstrates Aeschines is unable to claim Demosthenes is a *bad citizen* (claiming Demosthenes was a deserter), when Demosthenes is able to rearticulate the *good citizen* as the public-citizen and demonstrate his own service to the city of Athens against Aeschines's misuse of office in service of Phillip II of Macedon (221–222).

In this, Demosthenes and Aeschines are able to debate or contest the idea and nature of the *good citizen* in which *bad* and *good* are evaluations of how well one adheres to a set of given structures that surround citizenship. Timarchus shows us a case in which badness and goodness of citizenship are not the measures, but whether one belongs to the class of citizenship altogether, as the structures of citizenship are unable to hold up a subject like Timarchus in Aeschines's articulation of citizenship. Aeschines is thus unable to separate Demosthenes from

citizenship as someone without value or honor and unable to mobilize disgust against Demosthenes—Demosthenes, in turn, remains a rhetorical subject to the audience.

However, Timarchus is rendered *anti*rhetorical, as he is positioned outside the laws that govern the functions of rhetoric in Aeschines's construction. Aeschines says on the law, after including so many laws within his speech, "To sum it all up, if you punish the wrongdoers, your laws will be good and valid; but if you let them go, good laws, indeed, but valid no longer" (141). This, the presence of a wrongdoer outside the confines of *good citizenship*, presents a threat to the law, to citizenship, and to the state. Aeschines goes on to say, "Thus the laws are losing their force, the democracy is being undermined… For you sometimes thoughtlessly listen to mere talk that is unsupported by a good life" (143). The good life, for Aeschines, are those practices that perform a *good citizen*, and those who do not perform that good life undermine Athenian democracy. Aeschines goes on to suggest Timarchus's *bad* lives should be immediately apparent. Aeschines says:

> To whom of you is not the bestiality of Timarchus well known? For just as we recognize the athlete, even without visiting the gymnasia, by looking at his bodily vigor, even so we recognize the prostitute, even without being present at his act, by his shamelessness, his effrontery, and his habits. For he who despises the laws of morality in matters of supreme importance, comes to be in a state of soul which is plainly revealed by his disordered life. (151)

Separating Timarchus from *goodness* creates a subject without goodness, who cannot be measured in terms of adhering to structures that do not permit his existence. This opens a space that allows the mobilization of disgust that Aeschines deploys, saying:

> [S]hall their sons [of the lawgivers] let Timarchus go free, a man chargeable with the most shameful practices, a creature with the body of a man defiled with the sins of a woman…? [T]he man who in despite of nature has sinned against his own body? (147–149).

This mobilization of disgust is an articulation of Timarchus's as *atimos*, not that his actions were *dishonorable*, but that Timarchus, as a subject, is *without* honor or that the laws can find no honor or value for that subject.

Atimia can thus be thought of as how subjects are rendered outside of the structures on which our definitions of rhetoric depend. If rhetoric is actions performed by citizens in particular settings, *atimia* might refer to noncitizens within settings that can't hold them, or citizens performing actions in settings illegitimate to them. If *kakos* is how we mobilize and discuss *anti*rhetorical persons and actions, then the existence of *atimia* can be how we locate the subject positions that expose the confines of a definition of rhetoric—what is excluded to allow structures to persist, the pushing out of those that may contribute a sense that "the democracy is being undermined" (Aeschines 143). In this way, the atimian subject can show us where rhetoric is made material by where atimian subjects encounter the limitations of rhetoric. This is not to place evaluations on whether a rhetorical definition is *good* or *bad*, but to understand what the available means are within a rhetorical definition and who has access to those available means within a given context.

Aeschines's speech uses the laws of Athens to create an apparatus of the law, define the character of the lawgivers and the poets, and then present Timarchus as a subject outside of both legal and moral structures. It is the lawgivers and poets whose *ethos* is developed as well as the *ethos* of the law itself: contrastingly, Timarchus is then appealed to as a subject outside those

demarcations. Further, as the laws he appeals to define a subject's ability to speak, it is not only that the subject is outside the law, but outside of rhetoric and rhetorical ability. Even if Timarchus were compelling, his words are "mere talk that is unsupported by a good life" (143). Further, Aeschines builds up the *ethos* of the audience as credible witnesses, as good citizens who lead good lives; the audience's goodness, juxtaposed against Timarchus helps establish shared cultural ground for the audience to mobilize disgust against Timarchus.

The rhetorical value of *atimia* is precisely that it is without value, or that it is *anti*-value. If we attend to Timarchus as a historical subject that is *anti*rhetorical, we show rhetoric's values, how it values, and what structures benefit from deliberately *not*-valuing particular subjects or bodies. Rather than engage in the legitimacy of (Timarchus's) sex work, we see how rhetoric becomes an apparatus of communicating and reinforcing power, social positioning, and class hierarchies. Aeschines's appeals to the imagined *good citizen* and to the persistence of Athenian democracy to separate Timarchus from those structures help illuminate male sex work's connection to the non-citizen.

Historiography of Sex Work

It is important to not recover Timarchus as an antinormative or queer figure historically; indeed, I argue that Timarchus's acts directly challenge queer rhetorics' orientation toward the antinormative. Instead, a study of Timarchus's subject as a sex worker in 4th Century Athens forces historians to come to terms with the historical specificity of his actions and resist the impulse to critique rhetorical history (Bessette 149). Rather, Timarchus's sex work was explicitly *not* antinormative, but antirhetorical within his historical location. This kind of orientation to doing historical work forces historiographers to encounter not only the actions that a subject

performs, but what structures those actions come up against in order to pursue a more nuanced understanding of a historical entity.

Timarchus certainly exists as a subject within a kind of silence historically, but it is not a silence of his own making. Rather, Timarchus's historical silence is drowned out by the cries of the Athenian assembly "To the prostitutes" (Aeschines 127). We cannot recover Timarchus as a rhetorical subject because he was never understood as being a rhetorical subject. Rather, a queer feminist historiography of Timarchus can help us understand how silence is acted upon a historical subject and how rhetorical history structures the erasure from rhetoric of particular subjects, actions, and bodies.

Further, I argue that feminist and queer rhetorical historians and historiographers must continue to engage with histor(iograph)ies of sex work if we are to meaningfully interrogate language, politics, communication, and discourse surrounding sex practices to account for the ways in which the gender and sexual practices we observe participate within sex economies that are operant outside of, independent of, and in conjunction with identities and bodies. By attending to sex work and rhetorics of sex work we can show how bodies are managed and produced by language, power, the state, and the labor performed by bodies. Simply, for our work to be feminist, for our work to be queer, we must be engaging sex work as a part of our feminist and queer politics and methodologies.

Above I have endeavored to do this, to center the subject of Timarchus as a way to encounter the orienting force of historiography so that we might imagine different relationships to rhetorical pasts and imagine new rhetorical futures. Examining a rhetorical past that interrogates rhetoric's imbrication with state structures that manage bodies, their labor, and their gender and sexual practices, we can highlight how the available means are produced as available,

how subjects are and can be understood outside of rhetoric using a different set of means available or not. This paradigm would ask not to examine rhetorical pasts for knowledges that impact stable present bodies and stable identities, but wrestles with the structures of stability to demand of rhetoric that it be beholden to the bodies that it produces within and outside of itself, and that we contest always the boundaries of the structures of the citizen, the state, and the body to understand rhetoric as collectivity. Simply, to quote Karma Chavez, "Rage against the normative. Always and at all costs" (135). By changing our relationship to the past, we can change the means, both available and unavailable, and imagine and work toward rhetorical futures that not only can help us in addressing our immediate material needs (e.g., access to safe labor for sex workers) but work to address the structures that produced precarity in the first place. This would mean not defining sex work, queerness, or feminism in ways that are beholden to the state, or rely on rights-based and harm-reduction politics, but instead seek to dismantle systems of violence.

Kakos and *atimia* can be useful for queer and feminist rhetorical histories as a way to read against or differently the orienting functions of history that sustain our attention on particular understandings of rhetoric. These terms ask us to consider that which is antirhetorical not as failed or bad rhetorics or subjects, but as actions and relationships that exist outside structures that sustain our attention on particular orientations of rhetoric that inscribe subjects and actions outside the available means or that limit who we consider rhetorical and worth remembering. In order to engage in histories of sex work, historiographers may need to develop methodologies that center *kakos* and *atimia*—to become bad historians and historians of badness: who not only study bad subjects, but whose work aspires to be bad actions. This would mean attending rigorously to historical particularities, but representing subjects and actions that are

never knowable or representable within our current orientations to history and rhetoric, or within our current methodologies and epistemologies. Instead, our historical works might become the grounds from which we invent new possibilities and take an active role in reshaping what it means to be rhetorical.

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