

**Anyone who claims that he is a descendant from the house of the חשמונאים, is really a slave.**

### Overview

An עבד כנעני is not permitted to marry a ישראלית (and a ישראל is not permitted to marry a עבד כנעני in the חשמונאי household). He killed the entire חשמונאי family, except for one girl. She committed suicide so that הורדוס would not marry her. Immediately preceding her death she exclaimed that whoever claims to be a descendant from the חשמונאי household, is really a descendant of הורדוס; and is therefore an עבד as well. will be discussing whether הורדוס or (some of) his descendants actually married Jewish women (illegally). Had they indeed (illegally) married Jewish women, then their descendants would be כשר Jews, according to some opinions<sup>1</sup>.

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**And this is indeed so.** It is not merely a claim by this girl, but it is true.  
**for שמואל said the same thing in עשרה יוחסין** – דהכי נמי אמר שמואל בפרק עשרה יוחסין (קידושין דף עב,ב) חשמונאים is really an עבד<sup>2</sup>.

claims that this poses a difficulty with רש"י's explanation elsewhere:  
גמרא – **ומכאן<sup>3</sup> קשה על פירוש הקונטרס באלו נאמרים (פוסה מא,א) פרק אלו נאמרים רש"י offers in**  
**where the גמרא states that the חכמים said to אמר אמרו לו לאגריפס אחינו אתה** – **‘you are our brother’<sup>4</sup>** –  
**and רש"י explained there, the reason –**  
**that the חכמים said to him ‘you are our brother’** (even though he was a descendant of הורדוס, the slave), is -  
**because his mother was Jewish.** This concludes רש"י's interpretation on the גמרא now poses the difficulty –  
**for if this is so** as רש"י asserts that the mother of אגריפס was Jewish, then –  
**since הורדוס's children married Jewish women –**  
**why are their descendants considered as slaves –**

<sup>1</sup> There is a dispute if an עבד כנעני is כשר or if he is ממזר.

<sup>2</sup> It was assumed (or perhaps it was known) that none of them married Jewish women since it is אסור.

<sup>3</sup> See: ‘Thinking it over’.

<sup>4</sup> אגריפס was a king towards the end of שני בית, and a descendant of הורדוס. The גמרא there relates that אגריפס read the תורה on הקהל. When he reached the איש נכרי (which prohibits a ‘stranger’ from becoming a מלך) his eyes flowed with tears. The חכמים responded; ‘have no fear אגריפס for אתה’.

– **for himself maintains that –** **הא שמואל גופיה אית ליה**  
– **a gentile or a slave that lives with a Jewess** (even though it is not permitted, nevertheless) –

שמואל **as Jew, כשר** – **The resultant child is a כשר** (יבמות דף מה,א) maintains in **החולץ**. Why therefore does שמואל state that any descendants from the בית חשמונאי are עבדים?! According to רש"י they (may have) married Jewish women and the children are ישראלים כשרים.

– **And therefore it is necessary to maintain that** the descendants of הורדוס did not subsequently marry Jewish women. Rather they married other עבדים, etc. Therefore the resultant children retained their status as עבדים.

answers the anticipated question; Why then did the חכמים refer to אגריפס as 'אחינו', since he was a slave? תוספות explains:

**'אחינו אתה'**; אגריפס **called out to the חכמים – וקראוהו אחינו אתה**  
**for (even) לפי שעבד אחינו [הוא] במצות** [ועיין עוד תוספות יבמות מה,ב דיבור המתחיל כיון דאמון] **an עבד** is considered **'אחינו'** in regards to observing **the מצוות**. An עבד כנעני is obligated to perform all the מצוות that a woman is obligated to do. Therefore they considered him a 'brother'; even though he was an עבד.

### Summary

An עבד כנעני or עובד כוכבים who fathers a child from a ישראלית, the child is a כשר according to שמואל.

maintains that the mother of אגריפס was Jewish; therefore the חכמים called out to him 'אחינו אתה'.

asks: according to רש"י why does שמואל maintain that the descendants of הורדוס are עבדים; perhaps their mothers' were Jewish.

maintains that none of the descendants of הורדוס married Jewish women, including the father of אגריפס. Therefore they are all עבדים. The חכמים referred to אגריפס as 'אחינו', since as an עבד כנעני, he is מחוייב במצות כאשה.

### Thinking it over

What does תוספות refer to when he states 'מכאן קשה על פ"ה'?