

**Nostrils, Navel or Heart?**  
**Significant Textual Talmudic Variations Concerning Signs of Life**  
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The main talmudic source concerning which bodily sign should be used in determining whether a human being is alive or dead is found in a passage which deals with removing a pile of stones from on top of a human being on Shabbat (Yoma 85a). This passage is concerned with verifying whether there is a live person under the stones in order to potentially save his life, while at the same time preventing as far as is possible the desecration of Shabbat by the removal of the stones. If there is any chance that the person is alive, the principle of “*pikuah nefesh* (saving a life)” demands that the stones be removed. Once, however, death has been determined, the stones (and the body) must be left until after Shabbat. There are several significant textual variants in this passage and they are worthy of analysis before any discussion concerning the content of the source.<sup>1</sup> I first quote the passage according to the text found in the Vilna printed edition<sup>2</sup> and afterwards I provide a full synopsis of all the textual witnesses.<sup>3</sup>

- [1] תנו רבנן: עד היכן הוא בודק? עד חוטמו, ויש אומרים: עד לבו. בדק ומצא עליונים מתים - לא יאמר: כבר מתו התחתונים. מעשה היה, ומצאו עליונים מתים ותחתונים חיים.
- [2] נימא הני תנאי כי הני תנאי, דתנאי: מהיכן הולד נוצר - מראשו, שנאמר "ממעיי אמי אתה גוזי" ואומר "גזי נזרד והשליכיי". אבא שאול אומר: מטיבורו, ומשלח שרשיו אילך ואילך. אפילו תימא אבא שאול, עד כאן לא קא אמר אבא שאול התם - אלא לענין יצירה, דכל מידי ממציעתיה מיתצר. אבל לענין פקוח נפש - אפילו אבא שאול מודי דעקר חיותא באפיה הוא, דכתיב כל אשר נשמת רוח חיים באפיו.
- [3] אמר רב פפא: מחלוקת ממטה למעלה, אבל ממעלה למטה, כיון דבדק ליה עד חוטמו - שוב אינו צריך, דכתיב כל אשר נשמת רוח חיים באפיו.

[1] Our Rabbis taught: How far does one check? Until [one reaches] his nostrils. Some say: Until his heart. If he checked and found those above to be dead, he should not say: those below are already dead. Once it happened and they found those above dead and those below alive.

[2] Are we to say that these tannaim dispute in the same way as the following tannaim? For it was taught: From where is the embryo formed? From its head, as it is said, “In the womb of my mother, You were my support [*gozi*]” (Psalms 71:6), and it is also says: “Shear [*gozi*] your locks and cast them away” (Jeremiah 7:29). Abba Shaul says: From the navel, and it sends out its limbs into every direction. You may even say that [the first view is in agreement with] Abba Shaul, for Abba Shaul holds his view only with regard to the formation [of the fetus], because everything is formed from its middle, but regarding the saving of life even Abba Shaul would agree that the essential life force

1 *Halakhic* authorities have debated the use of manuscript evidence in *halakhic* rulings. As is well known, the GRA (R. Elijah, the Gaon of Vilna) offered numerous emendations, many of which take into account, *halachicly*, the possible variations of the text. Diametrically opposed to this approach was the Chazon Ish. See A. Y. Karlitz, Chazon Ish, Rosh Hashanah, *Kovetz Mefarshim*, Bnei Berak 1987; *Kovetz Igrat* 1:32 and 2:23, Bnei Berak, 1990. Other authorities have disagreed with the Chazon Ish, see Benjamin Lau, “*Arbaa Iyunim Metodologiim Bepsikotav shel Harav Ovadiah Yosef*,” *Netuim* 9 (2002), 104; Yaakov Shpiegel, *Amudim Betoldot Hasefer Haivri*, (Bar-Ilan University Press, Ramat Gan, 1996), 488-514, and n. 33. I wish to thank Dr. Fuchs for providing me with these references.

2 This version is almost identical with that found in the Venice edition. When relating to versions found in printed editions, I refer below only to that found in the Venice edition.

3 The manuscripts symbols are: **ת** = JTS EMC 218; **מ** = Munich 6; **95מ** = Munich 95; **ל** = London 400; **Ⓢ** = Spanish printed edition; **I** = Fr. ebr. 19, Bazzano (a fragment used as bookbinding material); **Ⓝ** = Oxford 366; **¶** = Venice printed edition. [ ] = a lacuna or unreadable text; { } = words marked by the scribe to be erased; < > = an addition made to the text.

I wish to thank Dr. Uziel Fuchs for reading and commenting on this work.

[manifests itself] through the nostrils, as it is written, "All in whose nostrils was the spirit of the breath of life" (Genesis 7:22).

[3] Rav Papa said: The dispute is only from below upwards, but if from above downwards, since he checked up to the nostrils, he need not check any further, as it is said: "All in whose nostrils was the spirit of the breath of life" (Genesis 7:22).

ת	ת"ר	עד	היכן	הוא	בודק	עד	<b>טיבורו</b>	ויש	או'	עד	<b>לבו</b>	בדק	ומצא	עליונים
6מ	תנו רבנן	עד	היכן	בודק	עד	<b>טיבורו</b>	ויש	או'	עד	<b>{לבו}</b>	<חוטמו>	בדק	ומצא	עליונים
95מ	תנו רבנן	עד	היכן	הוא	בודק	עד	<b>חוטמו</b>	ויש	או'	עד	<b>טיבורו</b>	בדק	ומצא	עליונים
ל	תנו רבנן	עד	היכן	הוא	בודק	עד	<b>חוטמו</b>	ויש	או'	עד	<b>טיבורו</b>	בדק	ומצא	עליונים
o	תנו רבנן	עד	היכן	הוא	בודק	עד	<b>טיבורו</b>	ויש	אומרים	עד	<b>חוטמו</b>	בדק	ומצא	עליונים
I	תנו רבנן	עד	היכן	הוא	בודק	עד	<b>חוטמו</b>	ויש	או'	עד	<b>טיבורו</b>	בדק	ומצא	עליונים
א	ת"ר	עד	היכן	הוא	בודק	עד	<b>חוטמו</b>	אחרים	או'	עד	<b>לבו</b>	בדק	ומצא	עליונים
ד	תנו רבנן	עד	היכן	הוא	בודק	עד	<b>חוטמו</b>	ויש	אומרי'	עד	<b>לבו</b>	בדק	ומצא	עליונים

ת	מתים לא	יאמר	שכבר	מתו	תחתונים	מעשה	היה	ומצאו	עליונים	מתים	ותחתונים	חיים	
6מ	מתים לא	יאמר	כבר	מתו	התחתונים	מעשה	היה	ונמצאו	עליונים	מתים	ותחתונים	חיים	
95מ	מתים לא	יאמר	כבר	מתו	התחתונים	מעשה	היה	ונמצאו	עליונים	מתים	ותחתונים	חיים	
ל	מתים אל	יאמר	כבר	מתו	התחתונים	מעשה	היה	ונמצאו	עליונים	מתים	ותחתונים	חיים	
o	חיים אל	יאמר	שכבר	מתו	תחתונים	מעשה	היה	ומצאו	עליונים	מתים	ותחתונים	חיים	
I	מתים	[ ]	אמר	כבר	מתו	התחתונים	מעשה	היה	ומצאו	עליונים	מתים	ותחתונים	חיים
א	מתים לא	יאמר	שכבר	מתו	תחתונים	מעשה	היה	ומצאו	עליונים	מתים	ותחתונים	חיים	
ד	מתים לא	יאמר	כבר	מתו	התחתונים	מעשה	היה	ומצאו	עליונים	מתים	ותחתונים	חיים	

ת	פפא	מחלוקת	מלמטה למעלה	אבל	מלמטה למטה	כיון	דבדק	ליה	עד	חוטמו	שוב	אינו	צריך
6מ	פפא	לא	שנו	אלא	מלמטה למעלה	אבל	מלמטה למטה	כיון	דבדק	ליה	עד	חוטמו	שוב
95מ	פפא	לא	שנו	אלא	מלמטה למעלה	אבל	מלמטה למטה	כיון	דבדק	ליה	עד	חוטמו	שוב
ל	פפא	לא	שנו	אלא	מלמטה למעלה	אבל	מלמטה למטה	כיון	דבדק	ליה	עד	חוטמו	שוב
o	פפא	לא	שנו	אלא	מלמטה למעלה	אבל	מלמטה למטה	כיון	דבדק	ליה	עד	חוטמו	שוב
I	פפא	לא	שנו	אלא	מלמטה למעלה	אבל	מלמטה למטה	כיון	דבדק	ליה	עד	חוטמו	שוב
א	פפא	לא	שנו	אלא	מלמטה למעלה	אבל	מלמטה למטה	כיון	דבדק	ליה	עד	חוטמו	שוב
ד	פפא	לא	שנו	אלא	מלמטה למעלה	אבל	מלמטה למטה	כיון	דבדק	ליה	עד	חוטמו	שוב

ת	נימא	כתנאי	נימא	כתנאי
6מ	נימא	כתנאי	נימא	כתנאי
95מ	נימא	כתנאי	נימא	כתנאי
ל	נימא	כתנאי	נימא	כתנאי
o	נימא	כתנאי	נימא	כתנאי
I	נימא	כתנאי	נימא	כתנאי
א	נימא	כתנאי	נימא	כתנאי
ד	נימא	כתנאי	נימא	כתנאי

ת	מהו	ולד	נוצר	מראשו	שנ'	הוא	או'	ממע	<אמי>	אתה	גוזי	ואומ'	גזי	נזרך
6מ	מהיכן	הולד	נוצר	מראשו	וכן	הוא	או'	ממע	אמי	אתה	גוזי	ואו'	גזי	נזרך
95מ	מהיכן	הולד	נוצר	מראשו	שנ'	הוא	או'	ממע	אמי	אתה	גוזי	ואו'	גזי	נזרך
ל	מהיכן	הולד	נוצר	מראשו	שנ'	הוא	או'	ממע	אמי	אתה	גוזי	ואומ'	גזי	נזרך
o	אדם	מהיכן	נוצר	מראשו	שנאמר	הוא	או'	ממע	אמי	אתה	גוזי	ואומר	גוזי	נזרך
I	מהיכן	הולד	נוצר	מראשו	שנ'	הוא	או'	ממע	אמי	אתה	גוזי	ואו'	גזי	נזרי
א	אדם	מהיכן	נוצר	מראשו	שנא'	הוא	או'	ממע	אמי	אתה	גוזי	ואומ'	גזי	נזרך
ד	מהיכן	הולד	נוצר	מראשו	שנאמר	הוא	או'	ממע	אמי	אתה	גוזי	ואומר	גזי	נזרך

ת	והשליכי	וג'	אבא	שאול	אומ'	מטיבורו	ומשלח	שרשיו	אילך	ואילך	אפיל	תימא	אבא	שאול
6מ	והשליכי	וג'	אבא	שאול	או'	מטיבורו	ומשלח	שרשיו	אילך	ואילך	אפלו	תימא	אבא	שאול
95מ	והשליכי	וג'	אבא	שאול	<אומ'>	מטיבורו	ומשלח	שרשיו	אילך	ואילך	אפיל	תימ'	אבא	שאול
ל	והשליכי	וג'	אבא	שאול	אומ'	מטיבורו	ומשלח	שרשיו	אילך	ואילך	אפיל	תימ'	אבא	שאול
o	והשליכי	וג'	אבא	שאול	אמר	מטיבורו	משריש	שרשיו	אילך	ואילך	אפילו	תימא	אבא	שאול
I	והשליכי	וג'	אבא	שאול	[ ]	בורו	ומשלח	שרשיו	אילך	ואילך	אפילו	תימא	אבא	שאול
א	והשליכי	וג'	אבא	שאול	אומ'	מטיבורו	ומשריש	שרשים	אילך	ואילך	אפיל	תימא	אבא	שאול
ד	והשליכי	וג'	אבא	שואל	אומר	מטיבורו	ומשלח	שרשיו	אילך	ואילך	אפילו	תימא	אבא	שאול



text is representative of the Ashkenazi tradition.<sup>5</sup>

The text preserved by most medieval talmudic commentators and *halakhic* authorities is similar to that found in the second grouping (**ל, ס, י, 95מ, <6מ>**), that is “his nostrils/his navel.” Among them are Rav Hananel, Rabbainu Gershom,<sup>6</sup> Rif (5b), Rosh (8, section 16), Hamanhig (Hilkhot Tzom Kippur, 334), Ramban (*Torat Haadam*, The Collected Writings of the Ramban, 2, 33), Rav Yeruham (*Toldot Adam and Havah*, path 12, part 9, 78c), Rav Joseph Kara (*Bet Yosef, Orah Hayyim*, 329, 4).

The Yerushalmi (Yoma 8:7, 45b) also matches this tradition (text quoted from the Leiden manuscript):

עד איכן תרין אמורין חד אמר עד חוטמו וחורנה אמר עד טיבורו מאן דאמר עד חוטמו בהוא דהוה קיים ומאן דאמר עד טיבורו בהוא דהוה רבין

How far [does one check]? Two amoraic sages: one says, “Until his nostrils,” and the other says, “Until his navel.” The one who says, “Until his nostrils,” for that is where his [life force] exists. The one who says, “Until his navel,” for from there he reproduces.

On the other hand, Rashi was clearly familiar with the version, “his nostrils/his heart,” as found in א, 7. Below is his commentary to the passage:<sup>7</sup>

עד היכן הוא בודק - אם דומה למת שאינו מזיז איבריו, עד היכן הוא מפקח לדעת האמת.

עד חוטמו - ואם אין חיו' בחוטמו, שאינו מוציא רוח, ודאי מת, ויניחוהו. הכי גרסינן: אמר רב פפא מחלוקי מלמטה למעלה - מחלוקת דהנך תנאי, דמר אמר: **עד לבו, ומר אמר: עד חוטמו**, מלמטה למעלה שמוצאו דרך מרגלותיו תחלה, ובודק והולך כלפי ראשו, דמר אמר: בלבו יש להבחין, אם יש בו חיות, שנשמתו דופקת שם, ומר אמר: עד חוטמו דזימנן דאין חיות נכר בלבו, ונכר בחוטמו. גזי נזרך - ונזר הוא שער הראש.

אפילו תימא אבא שאול - נמי סבירא ליה עד חוטמו.

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5 The evaluation of the text preserved in these manuscripts was related to me by Y. Epstein, based on his work on the third chapter of Yoma, *Masoret Hanusach Shel Bavli Yoma Perek 3*, Jerusalem, 1999.

6 This commentary is found in Munich 216, a manuscript which includes, inter alia, Rashi's commentary to several talmudic tractates. N. Rabinowicz was familiar with this fragment when he composed his magnum opus, *Dikdukei Sofrim*, in Munich, and he describes it in his introduction to v. IV (Munich, 1872), pp. 3-4. Below is a translation of this commentary:

“How far does one check if he is alive or dead? If he checked and found that the upper bodies are [broken into] limbs or are dead then [they] debate [concerning the bodies found below]: one says he [continues] to check until his navel and one says he [continues] to check until his nostrils. [This is when he checks from] below upwards, that is to say he checks his feet upwards even though he does not find signs of life at the point of his navel, perhaps he will find signs of life in his nostrils. But from above downwards, in a case where he first checked his head and did not find signs of life, everyone agrees that he is dead and that there is no need to check until his navel.”

7 Based on the version of the text preserved in א. The other manuscripts which I checked were: Oxford 35, Parma 2903, Ascorial G II 4, Munich 216 (the end of the commentary of R. Elyakim on Yoma, identified as the commentary of Rashi by N. Rabinowicz, *Dikdukei Sofrim*, ibid, introduction, pp. 3-4). There are no significant variants in these manuscripts. In the Parma manuscript there is a large homioteleuton, whose length is about half of the commentary. A list of these manuscripts appears in S. Pick and S. Monk, *Reshimat Kitvei Yad Shel Perush Rashi Letalmud*, (Ramat Gan: 1986), 36. The Meiri, *Bet Habehirah*, Yoma, ad loc, combines the versions preserved in the different manuscript traditions. He writes, “And they explained in the Talmud that when he checks to see if he is alive or dead, if he checks from the head first and he gets to the nostrils and he finds him dead, there is no need to check any further. However if he checks the legs first, as might happen when removing the stones, even though he has checked up until his **navel** or **heart** and found him dead, he can't rely on this examination until he has checked his nostrils.” According to the Meiri, the navel and heart are parallel, perhaps interchangeable body parts, both of which differ from the nostrils.

“How far does one check?”—If he seems to be dead, in that he doesn’t move, how much can he uncover to find out the truth [whether he is alive or dead]?

“Until his nostrils”—and if there is no sign of life in his nostrils, for he doesn’t find there air, he has surely died, and he must leave him [covered by the stones until after the Sabbath].

This is how the text should read: Rav Papa said, “The dispute is only from below upwards” — the dispute between these tannaim, for one says, “Until his heart” and the other says, “Until his nostrils.” “From above downwards,” that he found his feet first, and he is checking upwards toward his head, for one says, “With his heart he can determine whether he is alive, for his life force beats there,” and the other says, “Until his nostrils,” for sometimes his life force is not recognizable in his heart, but it is recognizable in his nostrils.

“Shear your locks (*gozi nizrekh*)” – and *nezer* refers to the hair on the head.

“You may even say that [the first view is in agreement with] Abba Shaul”—he too holds that [one must check] until his nostrils.

The version preserved in the first textual grouping (מ, ת) is not found in any indirect textual testimony, at least as far as is known to me.

### Analysis of the Passage

Besides the tannaitic debate found in the baraita, there are two other sources quoted in the passage: the first is a baraita in which tannaim debate from where a fetus begins to be formed,<sup>8</sup> and the other is the statement of Rav Papa, according to whom if the examination of the pile of stones is performed from above downwards it is sufficient to examine the nostrils and there is no need to continue checking a lower region of the body. The parts of the body mentioned in the baraita and in the talmudic discussion of the baraita are the navel and the nostrils, the two body parts mentioned in the first baraita, according to the majority of manuscripts (the second grouping, see above). This parallel would seem to strengthen the authenticity of this version, which is also, as stated, the version reflected in the writings of most medieval authorities. However, analysis of a parallel from tractate Sotah will cause us to question this assumption. Below is Mishnah Sotah 9:4 and the passage from the Babylonian Talmud, Sotah 45b, which discusses it (both the Mishnah and Talmud are quoted from Vatican 110):<sup>9</sup>

משנה: מאין היו מודדין? ר' אליעזר או מטיבורו ור' עקיב' או מחוטמו. ר' אליעזר בן יעקב או ממקום שנעשה חלל מצוארו  
גמרא: מאין היו מודדין. במאי קמפלגי? מר סבר עיקר חיותא בטיבוריה ומר סבר עיקר חיותא באפיה הוא.  
נימא כי הני תנאי: מהיכן הולד נוצר? מראשו. וכן הוא או ממעי אמי אתה גוזי ואוי גזי נזרך והשי. אבא שאוי או: מטיבורו ומשלי שרשיו אילך ואילך. אפילו תימי אבא שאול, עד כאן לא קאי אבא שאול להתם אלא לעינין יצירה, אבל לעינין נשמה דכולי עלמי באפי' הוא, דכל אשר נשמת רוח חיים באפיו.

Mishnah: From what part [of the body] do they measure? Rav Eliezer says: from the navel. Rabbi Akiba says: from the nostrils. Rav Eliezer ben Jacob says: from the place where he was made a slain person, from the neck.

Gemara: From what part [of the body] do they measure? What are they arguing about? One holds that the essential life force is in the navel [abdominal region], and the other

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8 This dispute is found in Midrash Hagadol, Leviticus 12:1 (ed. Steinsaltz, Jerusalem, 1997, p. 305). In this source the first opinion is attributed to R. Meir. The two opinions are brought separately in other sources. Yerushalmi Niddah 3:3, 50d reads, “From his navel Adam was created and he sent forth limbs in this direction and in that direction.” See Saul Lieberman, *Studies in Palestinian Talmudic Literature*, (Jerusalem, 1991), p. 131. (I wish to thank Dr. Fuchs for these references.) Midrash Hagadol, Genesis 2:7 (ed. Margoliot, Jerusalem, 1997, p. 78) reads: “When the Holy One, blessed be He, created the first Adam, he lay in front of him as one unformed (*golem*). He said, “Where should I inflate him with spirit?” ...Rather I see a good place in Adam, through the nostrils.”

9 This manuscript was chosen by the Academy of the Hebrew Language’s Historical Dictionary Project. For our purposes, there are no significant variants in the passage. See *Dikdukei Sofrim Hashalem*, Sotah, v. 2, (Jerusalem, 1979), pp. 368-9.

holds that the essential life force is in the nostrils.

Shall we say that [these tannaim] are like these tannaim: “From where is the embryo formed? From its head, as it says, “In the womb of my mother, You were my support [gozi]” (Psalms 71:6), and it is also says: “Shear [gozi] your locks and cast them away” (Jeremiah 7:29). Abba Shaul says: From the navel, and it sends its roots into every direction. You may even say that [Rebbi Akiba’s opinion is in agreement with] Abba Shaul, for Abba Shaul holds his view only with regard to the formation [of the fetus], but regarding spirit,<sup>10</sup> all would agree that it [manifests itself] through the nostrils, for, “All in whose nostrils was the spirit of the breath of life” (Genesis 7:22).

According to Deuteronomy 21:1-8, if a slain person is found outside of the city and the identity of the murderer is unknown, the elders of the nearest city must bring a calf and perform a ritual which includes breaking the calf’s neck and pouring the blood out into the valley. The first step in the ritual is determining the city which is nearest to the body. Rav Eliezer, Rebbi Akiba and Rav Eliezer ben Jacob disagree regarding which part of the corpse the measurement is taken from. The Talmud’s question, “What are they arguing about,” which relates to the first two opinions, makes this dispute dependent upon the “essential force of life” dispute. The passage identifies the positions of the disputants in the mishnah from Sotah with corresponding positions found in the baraita concerning the formation of the fetus. Section two of Sotah is nearly an exact parallel to section two of the passage from Yoma. It is unlikely that both of these passages were created independent of each other. Rather, it is more likely that this section was originally created in one of the two tractates in which it is currently found, either Sotah or Yoma, and later was transferred to the other. Below we shall attempt to prove that this section was formed in Sotah and only later transferred to Yoma.

1. The version preserved in the “How far does one check?” baraita in **טז, ת** (navel/heart) does not match the details in the baraita concerning the formation of the fetus found in section two (navel/nostrils). In contrast, the version preserved in most textual witnesses (nostrils/navel) does match those in the formation baraita. The obvious discrepancy between the details as preserved in this **טז, ת** suggests that section two was transferred to Yoma from Sotah, a passage in which this section was more appropriate. The dominant version in Yoma (nostrils/navel) is hence a correction of the more original version (navel/heart), made in order to match the details of the “How far does one check?” baraita with those in the “formation” baraita. This will be explained further below. If so, the debate as preserved in **טז, ת** is more original than the other two versions, for it has not been influenced by the transfer of the baraita from Sotah to Yoma. The discrepancy between the body parts in the formation baraita (navel/nostrils) and those mentioned in **ד, ז** and Rashi (nostrils/heart) will be discussed below.
2. At the end of the passage from Yoma, the Talmud rejects the “Are we to say that these tannaim dispute in the same way as the following tannaim” by stating “For Abba Shaul holds his view only with regard to the formation [of the fetus], but regarding the spirit (*neshamah*) [printed edition: the essential force of life (*hiyuta*)], all would agree that it [manifests itself] through the nostrils, for, “All in whose nostrils was the spirit of the breath of life.” This is the language as preserved in Sotah. In contrast, in Yoma, instead of “regarding the spirit”, most manuscripts (**י, ד, ז, ט, 95מ**) read “the saving of life,” which is obviously appropriate to the context in Yoma and not at all appropriate to the context in Sotah, which discusses determining the city nearest a dead body and not saving a life. The version in **ז** uses the word “life force (*hiyuta*)” taken from the next sentence, “the essential force of life...” **טז**, on the other hand, preserves the word “spirit (*neshamah*),” a word appropriate to the verse brought in the continuation as proof, “All in whose nostrils was the spirit (*neshamah*) of the breath of life.” The variance in these versions demonstrates that a more original version, “spirit” was corrected by most manuscripts to fit the topic under discussion in Yoma, “saving a life.” This correction was not made in **טז** and perhaps not in **ז** either. It is likely, therefore, that originally this portion of the discussion was not created in connection with the topic of removing a pile of stones from on top of a body on Shabbat.
3. Further support for the claim that section two of the passage from Yoma was originally created in Sotah and only later brought to Yoma is its placement within the Yoma passage. In **ז, ט** this entire section is found after the statement of Rav Papa and the passage closes with this material. This is also the order found in the commentaries of Rabbainu Gershom, Rashi and other rishonim. In **י, ד, ז, 95מ, טז** the section is brought immediately after the first baraita (“How far does one check?”) The absence of Rav

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10 “Spirit (*neshamah*)” also appears in Munich 95. The printed edition reads, “life force (*hayuta*).”

Papa's statement in **ת** can be explained by a homoeotetouon: the version in this manuscript was the same as that found in most other manuscripts and since Rav Papa's statement ends with the same word (**באפיו**) as that which ends the previous section, the scribe inadvertently skipped from the former instance of the word to the latter and thereby omitted his entire statement. Below I will attempt to explain the different order of the passage in various manuscripts. Here I merely note that the fact that the placing of this section differs from one manuscript tradition to another indicates that it was brought to Yoma from elsewhere after the passage in Yoma was fully formed.

We can conclude that the passage beginning from "are we to say that these tannaim are like these tannaim" until "All in whose nostrils was the spirit of the breath of life" was originally created in Sotah and from there was transferred to Yoma. If so, the version of the debate "navel/nostrils" originally existed in the mishnah in Sotah and not in the "How far does one check" baraita in Yoma, the baraita which deals with uncovering a person trapped under a pile of stones on Shabbat.<sup>11</sup> Were it not for the version of this baraita preserved in **ת, מ**, we might still have been able to posit that this baraita too mentions "navel/nostrils," as found in most manuscripts, for this would explain why the section from Sotah was transferred to Yoma. However, the version in **ת, מ**, "navel/heart" calls into serious question the authenticity of the version preserved in most of the manuscripts.<sup>12</sup> Obviously "navel/heart" does not match the body parts mentioned in the baraita concerning the formation of the fetus, which in all versions reads, "navel/nostrils." Moreover, "navel/heart" does not match the typical understanding of Rav Papa's statement. According to this understanding of his words, Rav Papa expresses his opinion concerning the same body part mentioned in the baraita — the nostrils. The difficulty in explaining the version "navel/heart" in light of the other elements of the passage implies its originality; it is a *lectio difficilior*, the more difficult, and hence more original, version.<sup>13</sup> Furthermore, we can indeed offer a cogent understanding of the earlier stratum of the passage in Yoma, a stratum that did not include the material transferred from Sotah, according to the version preserved in **ת, מ**, "navel/heart." Below is the baraita according to manuscript **ת** and the statement of Rav Papa according to **מ**:

ת"ר עד היכן הוא בודק עד טיבורו ויש אוי עד לבו. בדק ומצא עליונים מתים לא יאמר  
שכבר מתו תחתונים מעשה היה ומצאו עליונים מתים ותחתונים חיים  
אמי רב פפא לא שנו אלא שבדק ממטה למעלה אבל ממעלה למטה כיון דבדק ליה  
{ת} >רשייה תו לא צריך דכתי' כל אשר נשמת חיים באפיו.  
Our Rabbis taught: How far does one check? Until [one reaches] his navel. Some say: Until

11 Nevertheless, we must pay attention to the fact that the parallel drawn between this baraita and the mishnah from Sotah does not relate to the opinion of Rav Eliezer ben Jacob, according to whom they measure from the neck, the place where he was slain. Seemingly, this might point to the fact that the parallel between the baraitot was not originally created in this *sugya* in Sotah. However, for the talmudic editors to find a baraita containing a three-way debate to parallel all three opinions in the mishnah would have been exceedingly difficult, perhaps impossible. Hence, the editors seem to have sufficed with locating a parallel for two of the three opinions. We can assume that the *piska*, the quote from the mishnah which opens the *sugya*, included the opinions of the first two tannaim, and that the *sugya* is meant to relate to them alone. Indeed, the following *piska* does open with the statement of Rav Eliezer ben Yaakov, and there the talmudic editors bring a source for his opinion.

12 The juxtaposition of navel and heart is also found in BT Moed Katan 26b with regard to a mourner's rending his clothes. There the baraita is nearly identical to the one under discussion here. It reads:

עד היכן קורע? עד טיבורו, ויש אומרים: עד לבו. אף על פי שאין ראייה לדבר זכר לדבר, שנאמר וקרעו  
לבבכם ואל בגדיכם.

How far does he rend [his clothes]? Until his navel. And there are those who say: Until his heart. Even though there is no proof, there is a reminiscence of this, as it says, 'Rend your hearts and not your clothes.'

Despite the parallel, the fact that the subject matters are unrelated probably precludes any influence from that baraita on our *sugya*.

13 This principle implies that a difficult reading will tend to be more original than an easier, smoother one, for no copyist/editor would intentionally exchange a smoother reading for a more difficult one. In a case such as this we must suppose that the smoother reading is the revised reading. It is worthwhile to note the words of Rabbenu Tam (*Sefer Hayashar*, responsa 44): "Students who emend [the talmudic text] emend words which are difficult." I wish to thank Dr. Fuchs for referring me to this quote.

is heart. If he checked and found those above to be dead, he should not say: those below are surely dead. Once it happened and they found those above dead and those below alive. Rav Papa said: The dispute is only from below upwards, but if from above downwards, since he examined his head, he need not check any further, as it is said: “All in whose nostrils was the spirit of the breath of life” (Genesis 7:22).

According to this reconstructed version, Rav Papa says that the tannaitic dispute over whether the examination must uncover only up to his navel or whether it must continue to his heart is limited to a case where the removal of the stones was done from below upwards. If the removal was done in the opposite direction, from above downwards, it is sufficient to check his nostrils. This understanding of Rav Papa is simpler and more comprehensible than the usual explanation, which connects Rav Papa’s statement with the version that mentions “the nostrils” in the baraita itself. According to this explanation of Rav Papa, which is based on ת, בנ, “navel/heart,” the baraita deals with the parts of the body located in the abdominal/chest region, and upon this Rav Papa adds a note concerning the examination of the head. Indeed, the text in בנ, which reads, “it was only taught in a case where he checked...” is closer to this explanation than Rashi’s emendation, “the text should read ‘the dispute is in a case...’,” the version found in the other manuscripts (excluding ת, in which Rav Papa’s statement is entirely absent).<sup>14</sup>

What remains for us to determine is the meaning of the “are we to say that these tannaim...” section according to our reconstruction. Here we must admit that the details in this section do not precisely match those in the second section — the baraita from Yoma mentions the navel/heart, whereas the baraita from Sota mentions the navel/nostrils. Although the talmudic term “are we to say that these tannaim hold like these tannaim” usually exhibits a precise correlation between the details of two different sources, here the correlation is only partial: in both baraitot one opinion refers to the navel. We can explain this by suggesting that originally the terminology indicated a correlation between the baraita concerning the formation of the fetus with the mishnah in Sotah, in which case the match was complete. This baraita, along with its literary envelope, “are we to say that these tannaim...You may even say...”, was transferred to Yoma due to the similarity with one of the opinions — the navel — and despite the dissimilarity with the other opinion, which in Yoma was the heart. It is reasonable that the statement of Rav Papa which deals with the nostrils and uses the same verse that appears in the baraita concerning the formation of the fetus would have further aided in the transfer of this material from Sotah to Yoma.<sup>15</sup> We can detect the lateness of this transfer relative to the formation of the rest of the passage by the fact that R. Papa’s statement appears in different places in different manuscripts. The placement of his statement at the end of the passage, as it is in most manuscripts, is not smooth, since he relates directly to the first baraita (“how far does one check...”). The flow of the *sugya* would have been smoother were his words to have immediately followed the first baraita. If, as we have suggested, the section which deals with the formation of the fetus was transferred from Sotah, then the original *sugya* included only the baraita “How far does one check?” and the statement that Rav Papa made on this baraita. Upon this original framework the literary material from Sotah was added, thereby separating the baraita and Rav Papa’s comments. Since it too relates to the original baraita, it was added immediately thereafter. Nevertheless, in other textual traditions, the transferred material was placed at the end of the *sugya*.

If the *sugya* indeed originally looked as our reconstruction suggests, we can also understand how the dominant textual tradition was subsequently created. Once the material from Sotah was placed within the framework of the *sugya* in Yoma, an attempt was made to more fully correlate the details of the two sections by replacing “heart” in the first baraita with “nostrils,” the detail found in the formation of the fetus baraita. This correction became dominant over the earlier, original version for the same reason that this version was created in the first

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14 See *Dikdukei Sofrim* (Munich 1879), p. 144b, n. 8. The Meiri exhibits close proximity to this understanding, see above, n. 7. It is impossible to know which of the manuscripts were directly influenced by Rashi’s emendation. We can assume that in some of them this version was created by an editorial motivation similar to that found in Rashi’s commentary, although they may not have been directly dependent on Rashi.

15 Seemingly, one could suggest that the “Are we to say that these tannaim” section relates to Rav Papa on the one hand and to the baraita on the other. Thus we could perhaps explain the variant between “Are we to say that this is like another tannaitic debate,” and “these tannaim are like these tannaim” for the first is usually used in connection with an amoraic dispute whereas the second is used for a tannaitic dispute, and here, according to this interpretation, we would have a dispute between an amora and tannaim. However, as stated, the clause was originally found in Sotah and there it relates to a dispute between Rebbi Akiba and Rebbi Eliezer, two tannaim.

place — copyists and commentators understood “are we to say that these tannaim hold like these tannaim...” to imply a precise correlation between both sides of the dispute. Against this background, we can understand the version reflected in Rashi’s commentary (and in **7, 8** which were influenced by Rashi), according to which the tannaitic debate is between checking to the navel or to the heart. It is possible that this version was created by the processes described above. Rav Papa’s statement concerning the nostrils was understood as relating to a part of the body mentioned in the baraita (this is the typical interpretation of Rav Papa). As a result, “navel” was replaced by “nostrils,” and thus the version “heart/nostrils” was created. As with the version in **6, 7**, so too in this version the “are we to say that these tannaim...” section cannot be understood in its typical fashion, as indicating a precise correlation between the opinions in the two baraitot. Rather the term must be understood closer to its original meaning here in Yoma, as indicating a partial parallel, only between “nostrils” mentioned in both sources. In any case, Rashi clearly indicates that the heart is one of the organs mentioned in the baraita concerning the detection of life.

### The Yerushalmi

As was mentioned above, the Yerushalmi preserves a version of the baraita in which the tannaim debate between checking the navel and checking the nostrils. This version matches that preserved in most manuscripts of the Bavli. Since there is no reason to suspect the accuracy of the Yerushalmi’s version of this baraita, we must ask whether the Yerushalmi supports the originality of the same version in the Bavli, the version found in most manuscripts, that which we posited to be the “corrected” and hence not original version. Although we cannot offer any conclusive proof, the evidence leads to the conclusion that there is no connection between the Yerushalmi’s sugya and that in the Bavli. First of all, the many textual variants in the Bavli which we described above demonstrate clearly that there were problems in the transmission of this text. There would be no reason to assume that the most comprehensible version, the version that accords with that found in the Yerushalmi, could have lead to such a situation vis a vis the state of the text. Second, in the Yerushalmi there is no mention of the “heart,” one of the two body parts mentioned in Rashi’s version of the debate and in some manuscripts. Thus it seems likely that this detail is original to the Bavli’s *sugya*. Since the version “navel/heart” is found in the passage in Yoma, whereas “navel/nostrils” is found in a parallel *sugya* in the Bavli and in the Yerushalmi, it is reasonable to connect the version “navel/nostrils” with the Babylonian parallel and not with that in the Yerushalmi. If this is correct, then we have two original versions of the “how far does one check” baraita: one is Palestinian (navel/nostrils) whereas the other is Babylonian (navel/heart). Moreover, our explanation of Rav Papa’s statement demonstrated how his words relate to the “navel/heart” version, an interpretation which matches the original Babylonian version of the baraita.

### Summary

The text on Yoma 85b concerning determining whether a person found under a heap of stones is alive consists of three sections. Two of these, the baraita in which the tannaim debate which body parts are to be uncovered and examined, and Rav Papa’s statement qualifying that baraita, form the original core of this sugya. Added to these two sections is a third section, which was transferred from Sotah. This section contains a baraita concerning the formation of the fetus, whether it is formed from the nostrils or from the navel. Significantly, in the version of the text preserved in **6, 7** (navel/heart) the body parts debated in the two baraitot are not identical. The version of the baraita preserved in most manuscripts “navel/nostrils” is a result of an attempt by post-talmudic editors to correct this problem and to create a full correlation between the two tannaitic sources. In the version preserved in **7, 8**, a version likely to have been influenced by Rashi, there is also only a partial correlation between the two baraitot. This version of the baraita, “heart/nostrils,” seems to be another “corrected” version, this time in an attempt to correlate the baraita with the statement of Rav Papa which does relate to the “nostrils.” We can conclude that the original Babylonian version of this baraita is that found in **7, 6**, “navel/heart.”

As to the interpretation of this baraita, we can surmise that the purpose of removing the stones from on top of the body is to determine whether he is still breathing. If the first part of the body exposed is indeed the nostrils, then there is no better way of determining whether the person is breathing, as Rav Papa states. However, if the trunk is the first part exposed, then the only way to determine whether the person is breathing is through the rise and fall of his mid-sections, and not through the classic detection of breath, the feather under the nostrils. In a person’s mid-section there are two main regions in which one can detect a rising and falling motion: the abdomen (the navel) and the chest (the heart). Through this interpretation we can understand Rav Papa who draws a parallel between the navel and heart on the one hand and the nostrils on the other. In both cases at issue is detection of breath, revealed either directly in the nostrils or indirectly in the rise and fall of the trunk, be it the chest or the abdomen.