The discussion of the legal status of pornography in Israel called for reference to comparative law from its early years: the need to put flesh on the bones of the tersely-worded paragraph 214 led the court to look at English case law—at first, in accordance with Article 46 of the King's Order in Privy Council, but even after the formal interpretive relationship between the legal systems had been severed, English law continued to be a significant factor in the discourse, because of the historical connection between English and Israeli criminal law and a general sense of identification with the common law family. The presence of American law in the discourse is part of a general trend in recent decades, whereby Israeli law has grown closer to American law, but also makes sense given the centrality of free speech within the legal process. Apart from the interpretive relationship between the legal systems, it is possible to note, as described in the previous chapter and as detailed below, the tendency of Israeli law to "fall in line" with developments in the field in parallel legal systems.

The first ban under English law on the publication and display of obscene material is found in the Obscene Publications Act 1857, which forbids the possession for purposes of sale or distribution of material deemed to be obscene. The Act did not define the term "obscene," and this was given a concrete definition only about a decade later, in the well-known ruling *Regina v. Hicklin*. The ruling dealt with a man named Henry Scott, who distributed pamphlets that strongly criticized the Catholic Church. The pamphlets included detailed accounts of acts that would result in people seeking confession with a priest, which resulted in their being deemed obscene and an order being issued for their confiscation by the police.