

The Yale Law Journal

Volume 91 Number 5 April 1982



Bankruptcy, Non-Bankruptcy Entitlements, and the Creditors' Bargain

Thomas H. Jackson

Capital Punishment as a System Jack Greenberg

Labor Picketing and Commercial Speech: Free Enterprise Values in the Doctrine of Free Speech

The Speech or Debate Clause Protection of Congressional Aides

The Constitutional Significance of the Discriminatory Effects of At-Large Elections

Sixth Amendment Limits on Collateral Uses of Uncounseled Convictions

Reviews: Max Isenbergh, Alan Watson

The Yale Law Journal

Volume 91, Number 5, April 1982

Contents

•	_	•	1	
Α	rt	14	~ 1	AC
/ 1				

Bankruptcy,	Non-Bankruptcy	Entitlements,	and	the
Creditors'	Bargain			

Thomas H. Jackson 857

Capital Punishment as a System

Jack Greenberg 908

Notes

Labor Picketing and Commercial Speech: Free Enterprise Values in the Doctrine of Free Speech

938

The Speech or Debate Clause Protection of Congressional

961

The Constitutional Significance of the Discriminatory

974

Effects of At-Large Elections Sixth Amendment Limits on Collateral Uses of Uncounseled Convictions

1000

Book Reviews

Felix Frankfurter: The Enigma of H.N. Hirsch HIRSCH: The Enigma of Felix Frankfurter

Max Isenbergh 1018

Slave Law: History & Ideology

TUSHNET: The American Law of Slavery,

1810-1860: Considerations of Humanity and Interest

Alan Watson 1034

ISSN 0044-0094

The Yale Law Journal

The Yale Law Journal

ISSN 0044-0094
Published monthly, November to January and March to July, inclusive, at Atlanta, Georgia, by the
Yale Law Journal Company, Inc. Editorial and General Offices, 127 Wall Street, New Haven, Connecticut. Mailing address, The Yale Law Journal, 401A Yale Station, New Haven, Connecticut
06520. Domestic subscription price; \$25.00 per year; Canadian and Mexican, \$27.00 per year; Foreign, \$28.00 per year. Subscriptions are accepted only on a volume basis, starting with the first issue.
Each issue of the current volume can be purchased for \$5.50 from the Yale Law Journal Company
(check with order). For all back issues not from the current volume, inquire of Fred B. Rothman &
Company, 10368 West Centennial Road, Littleton, Colo. 80123 (\$7.50 for issues, check with order).
Address all other business communications to the Officers of the Yale Law Journal Company. If a
subscriber wishes to discontinue the Journal at the expiration of his or her subscription, notice to that
effect should be sent to the Treasurer; otherwise, it is assumed that continuation of the subscription is effect should be sent to the Treasurer; otherwise, it is assumed that continuation of the subscription is desired. Second-class postage PAID at Atlanta, Georgia and New Haven, Connecticut.

Copyright ® 1982 by the Yale Law Journal Company, Inc. Except as otherwise provided, the author of each article in this issue has granted permission for copies of that article to be made for classroom use, provided that (1) copies are distributed at or below cost, (2) author and journal are identified, (3) proper notice of copyright is affixed to each copy, and (4) the user notifies the Yale Law Journal that