W no

The Yale Law Journal

Volume 91 Number 3 / January 1982

Laying the Dormant Commerce Clause to Rest Julian N. Eule

The Nature of Judicial Review Harry H. Wellington

Free Speech, the Private Employee, and State Constitutions

The Open-Ended Investigation: A Method for Regulation of New Medical Services

The Military and State Secrets Privilege: Protection for the National Security or Immunity for the Executive?

Conflicts in Class Actions and Protection of Absent Class Members

Worker Ownership and Section 8(a)(2) of the National Labor Relations Act

The Yale Law Journal

Volume 91, Number 3, January 1982

Contents

Articles

Laying the Dormant Commerce Clause to Rest	
Julian N. Eule	425
The Nature of Judicial Review	
Harry H. Wellington	486
Notes	
Free Speech, the Private Employee, and State Constitutions	522
The Open-Ended Investigation: A Method for Regulation of New	
Medical Services	550
The Military and State Secrets Privilege: Protection for the	
National Security or Immunity for the Executive?	570
Conflicts in Class Actions and Protection of Absent Class Members	590
Worker Ownership and Section 8(a)(2) of the National Labor	
Relations Act	615

The Yale Law Journal
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 subscription, notice to that 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 © 1981 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 he has made such copies.