rowly found that unions may not collect special political assessments from non-union members who earlier objected to nonchargeable (*i.e.*, political) expenses, and could only collect from nonobjecting nonmembers after giving notice and an opportunity to opt out.[680]

Doubts on the constitutionality of agency shops in the public sector intensified in *Harris v. Quinn*.[681] Justice Alito, for the majority, characterized *Abood* as questionable on several grounds. He particularly honed in on conceptual difficulties in distinguishing between union expenditures for labor-related activities and those for political activities in the context of the public sector, where collective bargaining, lobbying, and advocacy efforts are all directed at the government. Administering *Abood* was further fraught with significant administrative difficulties. Yet the five-Justice majority declined to overturn *Abood* outright, despite pleas from the petitioners to do so. Instead, Justice Alito focused on what he saw as the peculiar status of the employees at issues, home health care assistants subsidized by Medicaid. These "partial-public employees" were largely under the direction and control of their individual clients, Justice Alito emphasized. Moreover, they had little direct interaction with state agencies, were frozen out from many state-employee benefits by law, and could bargain with the state only on limited issues. In the end, the majority found too little at stake *vis a vis* state agencies to justify compelling dissenting home health care assistants to subsidize speech by the union, a third party with whom they disagreed.

On another issue touching on conflict between an organization and its members, the Court has held that a labor relations body may not prevent a union member or employee represented exclusively by a union from speaking out at a public meeting on an issue of public concern, simply because the issue was a subject of collective bargaining between the union and the employer.[682]

Maintenance of National Security and the First Amendment

Preservation of the security of the Nation from its enemies, foreign and domestic, is the obligation of government and one of the foremost reasons for government to exist. Pursuit of this goal may lead government officials at times to trespass in areas protected by the guarantees of speech and press and may require the balancing away of rights that might be preserved inviolate at other times. The

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[680] 567 U.S. ___, No. 10–1121, slip op. (2012) (Sotomayor, J., joined by Ginsburg, J., concurring).

[681] Harris v. Quinn, 573 U.S. ___, No. 11–681, slip op. (2014).

[682] Madison School Dist. v. WERC, 429 U.S. 167 (1976).