

Voluntary student unionism

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Voluntary student unionism (VSU), as it is known in Australia, or voluntary student membership (VSM), as it is referred to in New Zealand, is a policy under which membership of – and payment of membership fees to – university student organisations is voluntary.

Australia passed legislation^[1] enacting VSU in 2005, which came into force on July 1, 2006.^[2] Forms of VSU in Australia had been law in the state of Western Australia from 1994 until 2002, and in Victoria from 1994 to 2000.

New Zealand passed legislation^[3] enacting VSM in 2011, rules which came into force on January 1, 2012.^[4]

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Arguments and issues

Arguments for and against VSU typically fall into three broad categories: civil rights impacts, social impacts, and economic impacts.

The civil rights argument

Requiring membership of student organisations is seen by some as a form of forced unionisation, contrary to freedom of association.^[5] Alternatively it may be seen as being required to belong to a professional

organisation, in which case it would merely be a means of ensuring standards.^[6]

Supporters of VSU compare the compulsory charging of membership levies to extortion. Those who argue that a student union is roughly equivalent to a workers' union note that compelling, or forbidding, union membership is illegal in Australian workplaces. Others note that student unions are not structured like trade unions, have different goals and methods and have become in modern time, providers of important services for students.

Supporters of VSU argue that leadership of student organisations tend to be particularly drawn from the Left, which they argue is reflective of an aggressive leftist culture in universities, but which is not representative of the whole student body. This is seen in New Zealand universities, also. Opponents of VSU state that electoral processes are open to students of any political persuasion and that students have the right to vote for whichever candidates they feel represent them. Additional to this any elected representative can be rolled from a position by means of a vote of no confidence from the membership.

In a similar vein, opponents of VSU argue that it silences students' voices by removing universal membership of a student organisation. The National Union of Students (NUS) is an umbrella organisation for most (though not all) representative and advocacy-providing student organisations; at present it organises national programs and days of action (for example) and undertakes activities such as parliamentary submissions and media relations. It is probable that the NUS's activities will be severely curtailed as VSU has left many student unions unable to pay full dues to the NUS. The fact that any given student union would also represent a significantly smaller part of their university's student body would make it much harder to gain media attention and funds to be an effective pressure group. VSU supporters counter that the NUS and member bodies used students' money for political ends, some of which were supported by only left wing students.

The social argument

A common thread in the argument against VSU is the notion of a campus culture, or the university experience. University has traditionally been a time of broadening horizons, socialising, and political activism. Opponents argue that VSU makes it more difficult for students to have high quality sports grounds, lively music and social venues, and the resources necessary to mount protests and political campaigns, leading to moribund campuses. This was a view expressed by Senator Barnaby Joyce who said the original VSU legislation could lead to "unnecessary collateral damage against sporting facilities and other vital parts of university infrastructure, and we can get rid of compulsory student unionism without affecting you know, the sporting clubs and you know the childcare facilities"^[7] Proponents counter that the free-market system rewards venues and establishments which students enjoy and value, and that it lets students choose their own level of contribution to a political cause.

VSU proponents further argue that few students participate in such political action, meaning that only ideologues will suffer as they will not be able to use others' money for their own causes. VSU opponents argue that the range of students involved in any one particular activity may be small, but the number of students involved in some combination of activities – political or otherwise – was high, and must be lower under VSU.

The economic argument

Student Unions charge anywhere between \$0 and \$300 per year for membership. Levying of fees is criticised by some on the grounds that it is financially onerous, particularly to students who may already be struggling with the associated costs of university study. Others cite that the associated financial benefits of robust representation provided by students' associations result in lower fees and higher quality of educational experience for students.

With the growth of the principle of user-pays, some have argued that student unions distort efficient behaviour and lead to sub-optimal decision-making. The principle, in summary, says that prices send signals to the market about how much of a good or service should be produced and consumed; altering the price creates a deadweight loss.

Opponents of VSU note that not all economic benefits are maximised individually (i.e., there are beneficial externalities). For example, student unions have frequently subsidised food outlets on campus, arguing that people get utility from bars crowded with fun-seeking university students – an environment that might not exist in the absence of subsidy. Proponents respond that students who don't make use of the crowded outlet are paying for others' food and drink. Another more serious example relates to advocacy provided by students associations. Many students face difficult personal and financial problems whilst studying. Advocacy services are not used by 100% of students, yet all students pay for the service to be available. Some students argue that they are paying for other students to use the advocacy service even though they have not needed to use it.

However, in at least some instances, VSU-funded subsidies failed to secure lower prices. This was highlighted by the federal government which cited a student's *Courier-Mail* letter to the editor which claimed: "A plain roll at the bakery costs at least twice as much as at other bakeries. All their food is at least as expensive as that in comparable bakeries and cafes."^[8]

Furthermore, opponents of VSU liken fees to council rates or taxes – an unpleasant but necessary payment for those services which by necessity must be communally provided. VSU proponents respond that student unions are fundamentally not governments and should not have the right to compel money from people; they also argue that most union services – food, childcare, second-hand bookshops, etc. – already operate in the private sector, sometimes at cheaper prices than the subsidised equivalents. Opponents note that facilities such as playing fields and emergency student loans would have to be taken up by universities since they would almost certainly not be available through the private sector. Opponents of VSU cite that the nature of advocacy and representation fall beyond what could be put to market forces, they further state that the nature of such services prevent them from effectively functioning from within the university, therefore Student Associations must be entrusted to carry out these services.

It is also argued that compulsory funding of campus services removes the incentive to provide more desirable or more useful services, or in some instances prohibits them from operating on campus altogether. VSU proponents argue that the brief experience of VSU in Western Australia and at Waikato University in New Zealand demonstrates that student organisations realign their priorities and emphasise commercial activities and student welfare and advocacy when they no longer receive a compulsory fee – in other words, seek to provide value to students. It is argued that compulsory services funding encourages inefficient service provision and reduces competition, ultimately disadvantaging student consumers. Others cite that the nature of many core services that Students Associations provide will not enhance quality by competition, and may in some cases harm quality of service.

The situation in Australia

Australian student unionism before VSU

Although universities and student unions each had their own rules, students generally were required to become a member of their campus student organisation automatically upon enrolment. A fee for student services or amenities was charged to students, typically once a semester, once a year, or in a lump sum upon enrolment. This fee was typically collected by the university, which usually took a portion in collection fees and passed the rest to campus student organisation(s). These organisations then distributed the money according to their own rules.

To avoid membership students had to actively opt out. Opting out did not absolve the student from paying a

services fee. This fee was often equal to the union membership dues, so the benefit of opting out was almost solely one of principle.

VSU legislation

On 9 December 2005, the *Higher Education Support Amendment (Abolition of Compulsory Up-front Student Union Fees) Bill 2005* was passed in the Senate, and received the Royal Assent on 19 December 2005. Since 1 July 2006, Australian universities have faced fines of A\$100 per student for compelling payment for any non-academic good or service.

Positions on VSU

Student unions

Many student organisations opposed VSU, expressing concern about their ability to provide social, academic, and political services under VSU as well as meet long-term financial commitments without guaranteed revenue streams. Their response included national days of action, protests, poster campaigns, media releases, and mock funerals of student services.

Universities

Australian universities, as represented by the Australian Vice-Chancellors' Committee (AVCC), generally have been in support of membership and compulsory fees for student organisations for three broad reasons. First, they prefer to leave service provision in the hands of students; second, the activities associated with campus organisations help to market the universities to prospective students; and third, they view student unions as valid representative bodies.

Since VSU removes much of student unions' funds, universities are left to decide whether or not to provide many of the services currently associated with student organisations. Many have chosen not to, although the Australian National University, the University of New South Wales, the University of Sydney, the University of Queensland, the University of Newcastle and the University of Adelaide^[1] have provided funding to their respective student unions, subject to various conditions.

Concern was raised that student support services, an attractive feature for international students, upon whom universities rely heavily for financial support, would be diminished under VSU. The Howard Government stated that the *Education Services for Overseas Students Act* will still allow compulsory fees to be charged to international students to pay for student amenities and services.

The AVCC views student organisations as having a legitimate representation role, even though much of student advocacy is directly against university administrations. University administrators prefer to have an external body that students can bring grievances to, rather than having to deal directly with every disgruntled student, or with a variety of different student lobby groups.

Liberal Party organisations and members

The most vocal proponent of VSU in Australia has been the Australian Liberal Students' Federation (the ALSF), and the Liberal Clubs in various universities across Australia which form its membership. Also supportive have been former Liberal Students Tony Abbott, Sophie Panopoulos, Tony Smith, Mitch Fifield and John Howard, as well as former Federal Minister for Education, David Kemp.

The National Union of Students (NUS) claims that the ALSF, in advocating VSU, is only attempting to silence NUS criticism of the Howard Government's policy towards students. Being fully aware that student organisations are mainly reliant on compulsory fees to operate, the ALSF, according to this view, is

knowingly seeking the destruction of student organisations. The Labor Party and the Australian Council of Trade Unions alleges that the implementation of VSU by the Howard Government represents an ideological hostility towards collective organisations.

Other groups' positions

The push for VSU has been strongly resisted by the Australian National Union of Students and trade unions. NUS views the argument that not all students benefit from student membership as fallacious, claiming that there is an indirect benefit for students generally. It describes pro-VSU positions as being analogous to voluntary taxation; particularly given that, if membership was voluntary, there would be opportunities for students to enjoy student organisation services without having to pay for them. The argument runs that student services would still be demanded under VSU, and the charges for them would still have to be levied by universities; but students would lose oversight of the allocation and direction of those funds. In recognition of this, the Howard Government's proposed legislation includes provisions that fine universities for not refunding student services charges.

However, VSU was seen as a welcome relief to many groups of students within Universities, especially those who felt that the Student Unions offered them very little benefit. For example, many younger students felt it unfair for them to pay between \$200–\$300 to subsidise things like childcare which primarily benefited mature age students.

History in Australia

Compulsory student organisation membership was initially accepted as uncontroversial by all political persuasions. By the 1970s, the overtly political nature of the Australian Union of Students, which ran a number of overtly progressive campaigns (for example, in support of the Palestine Liberation Organization^[9]), led to a significant conservative minority within that organisation to call for voluntary student organisation membership.

VSU advocates initially attempted to bring it about by running campus referendum campaigns calling for voluntary membership. Such campaigns, however, were consistently defeated. Nevertheless, a campaign was successfully run to have many student organisations disaffiliate themselves from AUS, causing its eventual collapse.

NUS was formed as the successor of the AUS in the late 1980s. The ALSF then changed to focusing on lobbying state and federal Liberal Party governments to abolish compulsory membership. A case concerning James Cook University was brought to the Australian Competition and Consumer Commission, claiming that compulsory union membership was anti-competitive. The Commission eventually rejected the case on the basis that student organisations had a positive social impact. In Western Australia, VSU was partially enacted by the state Liberal Party government, only to be rescinded when the ALP regained power.

Following its election in 1996, the Howard Government signalled its intention to introduce VSU. It tried to pass legislation to this effect several times in the late 1990s. Student organisations responded with strong campaigns in opposition to VSU throughout that time. The legislation was persistently rejected in the Australian Senate, where the Labor Party, the Australian Democrats, and the Greens have voted against it. Following its 2001 election victory, aware that attempts to introduce VSU would not pass the Senate, the Government moved away from the VSU agenda. Advocates of VSU received a boost, however, when the Howard government gained control of the Senate at the 2004 Federal election. Nationwide implementation of VSU had been listed among the government's legislative agenda to be placed before the Senate.

On 16 March 2005, Brendan Nelson introduced the Higher Education Support Amendment (Abolition of Compulsory Up-front Student Union Fees) Bill 2005 before the Parliament. Initially expected to be passed due to the government's majority in the Senate from July, it was opposed in its original form by maverick

senator Barnaby Joyce, who threatened to cross the floor if sporting facilities and collegial spirit were not protected. Despite such opposition, Education Minister Nelson insisted that the legislation would pass unamended and come into force as of 1 January 2006. By October 2005, however, it became apparent that it would not be possible to implement VSU in time for the new academic year.

On 9 December 2005, the legislation was reintroduced. Due to the decision of Joyce to cross the floor and vote against the legislation, Howard was forced to obtain the vote of Family First Senator Steve Fielding, who had maintained for several months that he was opposed to the bill in its current form. However, after being courted by Howard, Fielding did an abrupt about-face and voted for the legislation, calling compulsory student unionism "crazy" and allowing the bill to pass; though both Fielding and Brendan Nelson insisted no behind-the-scenes deal had secured his vote. The legislation was essentially identical to the government's original proposal, except that it was to come into effect on 1 July 2006, rather than at the start of the year. Fielding's office was vandalised the following weekend, with Fielding saying it was the work of opponents of VSU.^[10]

In September 2010 the Gillard Labor government introduced legislation to allow universities to charge students a compulsory service fee of up to \$250 a year to fund amenities such as sporting facilities, childcare and counselling. The legislation passed after the Greens took the balance of power in the senate.^[11]

The New Zealand situation

Referendum based opt-out provisions

Under legislation passed in 1999, but subsequently superseded, VSM could be enacted at any New Zealand university by a referendum of students. Only students at the University of Auckland voted to enact VSM, affecting membership of the Auckland University Students' Association.^[12] Consequently, students enrolled since that vote go without membership in the student association unless they become aware of it, find out how to join, and afford the fees without the option of having it included in their student loan. Students at the University of Waikato enacted VSM, but later returned to universal student membership, when a referendum was held during study week.

Voluntary student membership

In October 2009, Heather Roy's Education (Freedom of Association) Amendment Bill was drawn from the ballot. The bill was greatly delayed due to a large number of public submissions (4837 in total, including 132 oral submissions), necessitating the Select Committee stage to be extended from the normal six months to a full year. It was later delayed due to filibustering by the Labour Party^[13] and of particular note, Trevor Mallard,^[14] of a bill ahead of it on the Order Paper - the aim was to push the debate out so the third reading could not occur before the 2011 election, causing the bill to die as Roy was not seeking re-election. However, the bill eventually passed its third reading on 28 September 2011, 63 votes in favour to 58 opposed.^[15] All student associations in New Zealand are now voluntary.

Terminology

There are several terms being used to describe voluntary student unionism and its opposite, each with its own frequency, accuracy, impartiality, and favourability.

Voluntary arrangements

- Voluntary student unionism (VSU)
- Anti-student organisation legislation (ASOL)

- Voluntary student representation (VSR) – A "watered down" alternative to VSU, in which compulsory fees for student politics are banned, but may still be levied for non-political uses.^[16]
- Voluntary student membership (VSM) – New Zealand arrangement similar to VSU
- Optional membership of student organisations (OMSO)^[17] – positive euphemism for VSU.

Universal arrangements

- Universal student unionism
- Universal student representation
- Student organisation
- Opt-out student membership
- Forced unionism

References

1. "Higher Education Support Amendment (Abolition of Compulsory Up-front Student Union Fees) Bill 2005". *Parliament of Australia*. Retrieved 21 December 2014.
2. "Joyce blasts colleagues over VSU vote". *ABC*. Retrieved 21 December 2014.
3. "Education (Freedom of Association) Amendment Act 2011". *New Zealand Parliamentary Counsel Office*. New Zealand Parliamentary Counsel Office. Retrieved 21 December 2014.
4. "Voluntary membership Bill passes; students not giving up". *Otago Daily Times*. 29 September 2011. Retrieved 21 December 2014.
5. Voluntary Student Unionism: Protecting the Rights of Australian Students? (<https://www.parliament.qld.gov.au/documents/explore/ResearchPublications/researchBulletins/rb0799kc.pdf>), Queensland Parliamentary Library, 1999, p. 18
6. Jeremy McBride, *Foredoom of Association, The Essentials of Human Rights*, Hodder Arnold, London, 2005, pg.18
7. "The World Today – Joyce warns Government on VSU". Australia: ABC. Retrieved 2010-06-19.
8. Lucy Percival, "Now where did those union fees go?", *The Courier-Mail*, 14 October 2005, p. 20, cited in House of Representatives Official Hansard No. 21, 2005, p. 123 (p. 139 of the PDF (<http://www.aph.gov.au/hansard/rep/dailys/dr051205.pdf>))
9. "Australian Students and the Conflict, *Journal of Palestine Studies*, Vol. 4, No. 1 (Autumn, 1974), pg. 176". [Links.jstor.org](http://links.jstor.org). Retrieved 2010-06-19.
10. "VSU prompted office attack: Fielding (ABC News)". Australia: ABC. 2005-12-10. Retrieved 2010-06-19.
11. Harrison, Dan (30 September 2010). "Student union fees to return". *The Age* (Melbourne, Australia).
12. Barton, Chris (18 December 2010). "Students pay high price for freedom". *New Zealand Herald*. Retrieved 18 December 2010.
13. Marwick, Felix, *Goff defends filibustering VSM debate*
14. Bradford-Crozier, Katie, *Labour defends filibustering VSM bill*
15. *Voluntary Student Union Bill Passes*
16. <http://www.cis.org.au/publications/issue-analysis/article/836-the-free-market-case-against-voluntary-student-unionism-but-for-voluntary-student-representation>
17. http://www.acuma.org.au/resource_library/vsu/vsu_impact_study/abbreviations.htm

External links

- Higher Education Support Amendment (Abolition of Compulsory Up-front Student Union Fees) Bill 2005 (<http://parlinfoweb.aph.gov.au/piweb/Repository/Legis/Bills/Linked/16030503.pdf>)
- Senate Report (http://www.aph.gov.au/Senate/committee/eet_ctte/highed_unionfees/report/report.pdf)

News articles

- Family First vote gets VSU through Senate (ABC News) (<http://www.abc.net.au/news/newsitems>)

/200512/s1527974.htm)

- Members Only (Sydney Morning Herald) (<http://www.smh.com.au/news/National/Members-only/2005/05/12/1115843315648.html>)
- Labor slams uni change as ideology gone mad (ABC News) (<http://www.abc.net.au/news/newsitems/200503/s1324866.htm>)
- Student union bill in peril as Nats defy PM (<http://www.smh.com.au/news/national/student-union-bill-in-peril-as-nats-defy-pm/2005/06/21/1119321738094.html>)
- Anti-VSU protesters hit parliament (Sydney Morning Herald) (<http://www.smh.com.au/news/National/AntiVSU-protesters-hit-parliament/2005/08/18/1123958172840.html?oneclick=true>)
- Unis need to prove VSU impact (Sydney Morning Herald) (<http://smh.com.au/news/National/Unis-need-to-prove-VSU-impact-Vaile/2005/08/14/1123957935368.html>)
- VSU prompted office attack: Fielding (ABC News) (<http://www.abc.net.au/news/newsitems/200512/s1528212.htm>)
- Fielding target of student protests (The Age) (<http://www.theage.com.au/news/national/fielding-target-of-student-protests/2005/12/10/1134086848122.html>)
- Protesters target Vic MP's office (The Age) (<http://www.theage.com.au/news/National/Protesters-target-Vic-MPs-office/2005/12/12/1134235969373.html>)

Anti-VSU links

- Stop VSU (Melbourne University Student Union) (<http://www.stopvsu.org>)
- UNSW College of Fine Arts on VSU (<http://www.cofasa.unsw.edu.au/vsu/>)

Pro-VSU links

- The NUS versus Freedom of Association – Quadrant Magazine (<http://search.informit.com.au/documentSummary;dn=199517151656692;res=IELAPA>)
- StudentChoice (New Zealand) (<http://studentchoice.blogspot.com/>)

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Categories: Students' unions in Australia | Students' unions | Student politics | Howard Government

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