

Reconfiguring Regulation: Towards an Empathic, Person-Centred Highly Compulsory Course of Study

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ABSTRACT

This paper offers a model for a highly compulsory course designed to be empathic and person-centred within the parameters of the regulatory environment. Highly compulsory courses are those which require undergraduate students to study general subjects, in addition to subjects in their chosen academic degrees, and to satisfy the requirements within the duration of a first-degree course programme. Students who fail to comply must either remain at university until all highly compulsory courses have been successfully completed or to leave university without a degree. A relatively recent phenomenon, the highly compulsory course blueprint is being reproduced in university settings across Asia. The empathic person-centred highly compulsory course model described in the paper emerged through the interplay of three elements: an understanding of the modern regulatory environment informed by the work of philosopher-historian, Michel Foucault; an approach to writing ordinary lives extrapolated from the work of cultural historian, Catherine Hall; and real life-like scenarios based on a knowledge and understanding of the ordinary lives of students conscripted to the course that accrued in an 18-month period between 2015 and 2016. The resulting course is predicated on four principles: *challenge*; *openness and transparency*; *availability*; and *flexibility*. The first is a response to the regulatory environment's requirement that the highly compulsory courses within its purview be meaningful from a pedagogical perspective; the other three are designed to support student-conscripts through the challenge. If neither the detail of the course nor the principles on which it is predicated convince, the three elements introduced in the first part of the paper offer a possible approach for the development of highly compulsory courses that are sensitive to, and which mitigate against conflict with, learners' lives outside the classroom.

Key words: Highly Compulsory Course, Regulation, Learner, Ordinary Lives, Michel Foucault, Catherine Hall

INTRODUCTION

In higher education, highly compulsory courses are a relatively recent phenomenon. They obligate students to undertake additional work that is unrelated to their chosen degree subject and, if this is not completed within the period of a degree course, they face the prospect either of remaining at university for longer than was planned or, worse, leaving university without a degree. The empathic, person-centred iteration of the highly compulsory course was developed over an 18-month period between April 2015 and October 2016. Administered by the General Studies Unit (GSU) [not its actual name] within a private university in Kyoto, Japan, it is unaffiliated to an academic faculty or department and tasked with the provision of general rather than academic education. Providing courses in career development, TOEIC preparation and the English language (EL), my involvement was in the design and delivery of the last course type. While the institution where the research took place was an early

adopter of the highly compulsory course, the blueprint is being reproduced in similar educational settings elsewhere in Asia.

The remedy to the problem posed by the phenomenon of the highly compulsory course emerged through the interplay of three elements. The first, an account of the origins of the modern regulatory environment provided by philosopher-historian, Michel Foucault; the second, the development of an approach to writing ordinary lives extrapolated from the work of cultural historian, Catherine Hall; and the third, knowledge of how the ordinary lives of student-conscripts could conflict with the regulatory environment. The resulting course model, which emerged within the parameters of the regulatory environment is predicated on four core principles. These are: *challenge*, *openness and transparency*, *flexibility* and *accountability*. The first principle reflects the regulatory environment's determination that the courses be serious and, from a pedagogical perspective, meaningful.

The other three principles, *openness and transparency*, *flexibility* and *accountability*, were designed with the specific intent to support learners through the challenge that the course presented. What follows is divided into two main sections. The first, entitled ‘Underpinnings’ describes the three elements that facilitated the course’s production; the second provides an outline of the course itself.

UNDERPINNINGS

Regulatory Environment

One of the most important and influential thinkers of the modern regulatory environment is philosopher-historian, Michel Foucault. His seminal *Discipline and Punish* describes the emergence in Europe from the early nineteenth century of a new, distinctly modern, means of exercising control over the bodies of deviant *others* labelled variously as criminals, juvenile delinquents and lunatics. Incarcerated in prisons, reformatories and asylums, control was maintained through totalising systems of surveillance (Foucault, 1979). *Discipline and Punish*, more than simply illuminating the nature of the regulatory environment of the highly compulsory EL course programme, could, in fact, be read as an account of its historical and geographical origins.

Foucault makes clear that the novel form of regulation that emerged ‘must not be seen as a sudden discovery’ (p.138). He explains,

‘It is rather a multiplicity of often minor processes, of origin and scattered location, which overlap, repeat, or imitate one another, support one another, distinguish themselves from one another according to their domain of application, converge and gradually produce the blueprint of a general method’ (ibid. p.138).

These ‘minor processes’ he continues,

‘were at work in secondary education at a very early date, later in primary schools; they slowly invested the space of the hospital; and, in a few decades, they restructured the military organisation. They sometimes circulated very rapidly from one point to another (between the army and the technical schools or secondary school) sometimes slowly and discreetly (the insidious militarization of the large workshops). On almost every occasion, they were adopted in response to particular needs: an industrial innovation, a renewed outbreak of certain epidemic diseases, [and] the invention of the rifle or the victories of Prussia’ (ibid. p.138).

In tracing the multiple, spatially disparate early origins of the ‘blueprint’ for the modern regulatory environment, Foucault (1979) finds evidence of the very earliest ‘minor processes’ operating within secondary education introduced subsequently to primary schools and technical schools. While it would be an overstatement to suggest that education played a leading role in the development of the first iteration of the blueprint, it was nevertheless and, as Foucault (1979) himself points out, one of several domains that were implicated in its emergence. Given this, I contend that the regulatory environment of the highly compulsory EL course programme represents an example of an early 21st century

rearticulation of the original blueprint which is currently diffusing to institutions of education across Asia. How the former emerged from the latter will be the subject of another paper suffice it to say that one promising line of investigation is the parallel with compulsory courses within academic degree programmes, referred to as core courses.

The highly compulsory EL course programme was officially launched in April 2015. The regulatory environment in which it operated was compliant with the university’s local rules and regulations governing courses which, in turn, followed broader legal and policy frameworks set at national level. Within the university, the regulatory environment was composed of a management hierarchy overseen by a general education committee composed of academics working in the fields of language education and Applied Linguistics. Under this tier was GSU, the administrative section responsible for the day-to-day operation of the programme. Between GSU and the instructors tasked with course design and delivery, there was an intermediary tier of staff referred to as course coordinators. Among the responsibilities of this role was the production of skeleton or outline syllabuses. Signed off by the general education committee, these documents ensured compliance with rules and regulations governing courses locally within the university as well as nationally. The skeleton syllabuses elucidated grading structure detailing the comparative percentage worth of the core course components which were listed under three broad headings. These were *attendance and active participation*, *coursework and presentation* and *final exam*. The first core course component was generally accorded 20% of the final grade, the second, 50% and the third, the remaining 30%. The skeleton syllabuses also detailed the title of the textbook that was to be used in the course and which sections of the textbook would be covered in each class. Instructors designed courses around the skeleton syllabuses and were encouraged to work up more detailed versions which primarily involved clarification of work to be done under the heading ‘coursework and presentation’. In this task, while being subject to the same regulatory environment as the student-conscripts, instructors were afforded pedagogical autonomy to create courses according to their preferred teaching style and learning philosophy. Nevertheless, the regulatory environment required that coordinators vet all syllabuses prior to the beginning of each semester in order to ensure conformity with their skeleton counterparts. This focussed in particular on the percentage worth of the core course components and the policy concerning attendance.

The courses were compulsory for students belonging to participating faculties and departments across the university excluding students taking English language and literature degrees. Their first main interaction with the regulatory environment occurred in the first week of the academic year when, during a two-hour TOEIC bridge test, students’ EL proficiency was determined. Based on the results of the test, students were streamed into one of four proficiency levels. These were: Basic, Elementary, Intermediate and Advanced. Students placed in or above Elementary level had to earn four EL course credits over the duration of their first degrees in

order to graduate; and students at Basic level were required to gain five EL course credits. The requirement for Basic level students to take an additional course credit serves as an example of what Foucault terms 'a small act of cunning' or 'petty form of coercion' (Foucault, 1979, p.139). Instigated not with the needs of low proficiency students in mind but rather to deter high proficiency students from deliberately underperforming in the bridge test in order to be placed in a less demanding level. Nevertheless, students in all proficiency levels typically took one EL course unit per fifteen-week semester. The exceptions to this being those students who either tested out of the programme because their proficiency exceeded the upper requirement or who failed a course. The latter were encouraged to repeat the course in the next semester, although they had the option of delaying until the semester before they were due to complete their degrees. With two semesters per academic year, over a four-year degree programme, students in Elementary level and above could earn sufficient credit to qualify for graduation within a period of two years while Basic level students had the potential to qualify within two and a half years. Those who failed one or more courses would not only take longer to qualify but also risked being compelled either to remain at university until all of the highly compulsory courses had been successfully completed or to leave university without a degree.

Once the students were conscripted into the system, they were ascribed the label *learner*. Widely-used in English language-medium English language teaching circles, this innocuous term makes emphatic the regulatory environment's expectations upon whom the role was imposed. Courses were delivered within the confines of the classroom. Inside, learners were expected to conform with classroom norms determined by the regulatory environment. Articulated through texts such as university regulations on the website, signage on the walls, and course syllabuses, norms were enforced by the instructor. Norms included that learners be punctual; avoid being absent; not leave class early; not use a mobile device; not eat or drink; ensure bags were not on desks; bring to class the assigned textbook, a pen and paper; not sleep; and actively participate in classroom activities. In those moments when conduct ran counter to these norms, the learner was deviant and disciplined or punished accordingly. If the learner was caught using their smartphone, it would be confiscated for the remainder of the class; if a learner had not removed their bag from their desk, he or she would be directed to comply; learners not actively participating in classroom activities would lose points for participation; learners who slept in class were marked as absent; and, finally, if a learner exceeded a pre-determined number of absences, he or she would not qualify to take the end-of-semester exam and risk having to repeat the course for a second time.

From the perspective of the regulatory environment, the walls of the classroom marked the outer limits of the learner's world. Conduct within was interpreted in relation to classroom norms – with compliant learners being judged favourably, and non-compliant learners, unfavourably. Anything beyond the world of the learner was construed as being irrelevant and not a factor in the regulatory environment's calculation

of learner conduct within the classroom. In practical terms, this included any aspect of student-conscripts the ordinary lives. Yet, in the context of highly compulsory courses especially, to dismiss out of hand the possibility that conflict between the two could arise is, I argue, and, as I go on to demonstrate, absurd. If conflict reveals something of the lives of learners outside the classroom, then in order to better understand the context, we need to bring the ordinary lives of learners within the scope of the regulatory environment's field of consideration. Michel Foucault has provided us with an understanding of the origins of the modern regulatory environment, yet accounts in his work of the lives of deviant others are conspicuous by their absence. We need, therefore, to look elsewhere for an approach to writing ordinary lives and it is in the work of cultural historian, Catherine Hall, that we find one.

Writing Ordinary Lives

Hall's fascination with ordinary life owes in no small measure to social historian, E.P. Thompson, and his seminal work, *The Making of the English Working Class*. Originally published in 1963, Thompson (2013) sought, as he put it himself, to 'rescue [...] from the condescension of history,' details of the lives of people such as 'the poor stockinger, the Luddite cropper, the 'obsolete' hand-loom weaver, and even the deluded follower of Joanna Southcott' (p.12). A feminist, first and foremost, one of Hall's (1992) first projects was to write the history of the housewife, a subject that 'historians had not thought of [...] as worthy of academic study' (p.43). Then in essays such as 'The Early Formation of Victorian Domestic Ideology,' she began to explore the intersections between gender and class. In the third phase of her work, she '[takes] up questions of race, ethnicity and difference' and in the essays 'Missionary Stories: gender and ethnicity in England in the 1830s and 1840s' and 'Competing Masculinities: Thomas Carlyle, John Stuart Mill and the case of Governor Eyre,' she considers 'the shifting and contingent relations of gender, class, race and ethnicity' (Hall, 1992, p.25). The approach taken to the writing of ordinary lives is based on a detailed reading of the third phase of Hall's oeuvre. Here, her focus is not on the subjugated but on those whom society had empowered through prevailing ideas around ethnicity, gender, class as well as age, an implied fourth category about which Hall says little.

Ever-cautious about making generalisations, Hall is at pains to be specific. The people that form the focus of her work are located in the context of Britain's (especially Birmingham's) colonial relationship with the Caribbean (especially Jamaica) between the 1830s and 1860s, a period which from a British perspective witnessed a notable shift in attitude around 'race' from one where colonial subjects in the Caribbean and other colonies were imagined as being part of the same human family (albeit more junior members) to one that was, as Hall (1992) writes, 'more explicitly racist' (p.208). Her focus is on white, middle class, adult men, among them, Joseph Sturge and William Knibb, who were involved in the campaign to end British slavery and, following abolition in 1833, to uphold the rights of the emancipated.

Their status as white, middle class, men imbued them with the authority to speak for a range of 'others' not only overseas but also at home. These included the enslaved on the sugar plantations of the Caribbean and colonial subjects across the British empire, factory hands in Britain, wives, younger siblings and children. Yet, as Hall (1992) reminds us, this was 'an ever shifting and historically specific cultural and political world, where the search for certainty and stability, 'I know who I am and I know how and why I have power over you', masked conflict, insecurity and resistance' (p.207).

Sturge, Knibb and the other people who figure in Hall's (1992) work perform a variety of roles at particular times and places. It should be remembered, however, that Hall's primary concern is with the intersection between ideas of ethnicity, gender and race, rather than with roles per se, and while they are inextricably linked, they are of secondary importance. Nevertheless, three main points about roles can be deduced from Hall's work. The first is that they exist in four arenas of activity. These are: *society*, *work*, *family* and *religion*. To take one example, we learn from Hall (1992) that William Knibb performed roles in all four arenas. In *society*, he was an abolitionist; in *work*, he a missionary; in *family*, he was a husband, a father, a brother and an uncle; and, in *religion*, he was a Baptist. The second point about roles is that they interact with one another in various ways: conflicting, undermining, and reinforcing. For instance, William Knibb and his brother, Thomas, were Baptist missionaries. When news of Thomas's death in Jamaica reached William, then in Britain, his resolve to follow in his brother's footsteps and undertake missionary work there himself was strengthened rather than diminished. The third point about roles is that each one is composed of not simply of duties, commitments and responsibilities but also of projects, hopes, visions, goals and dreams. In Jamaica, for instance, British missionaries were working, as Hall (1992) puts it, 'to make the island into a Christian, civilised, capitalist, free-labour economy with democratic institutions; in other words, into a country based on their version of the British model'. In order to realise this vision, they committed themselves 'to keep the issue of Jamaica at the forefront of the public conscience' through, among other activities, 'reports in the missionary press and in the anti-slavery press, public meetings, lecture tours, fund-raising campaigns, books, pamphlets, [and] private letters designed to be read [...] at missionary meetings or abolitionist gatherings' (Hall, 1992, p.211).

To be sure, the people in Hall's work are socially, culturally, politically, historically and geographically remote from the people who form the focus of this paper. Even so, as I hope I have demonstrated, Hall's attention to specificity, to detail and to context, make her feminist, anti-racist, progressive approach to history-telling translatable to any time and to any place.

Learner Stories

Unlike Foucault, for whom the ordinary lives of the subjugated in *Discipline and Punish* were long deceased, I was in the privileged position to know the people in the regulatory

environment of the highly compulsory EL course programme. Through interactions with learners about the course of study and in classroom activities, I accrued a knowledge and understanding of the ordinary lives of young people in their late teens and early twenties receiving a private university education in a middle-ranking university in the city of Kyoto, Japan. My learning began, however, with the few details provided by the regulatory environment at the start of each course. These included their names – in *hiragana* (a syllabic script) and *kanji* (Chinese characters) – their student numbers and the academic department to which they were attached. Over a fifteen-week-long semester, it became clear that these young people were performing not the one role required by the regulatory environment but a rich variety across the four arenas of activity: *work*, *family*, *society* and *religion*. Within *work*, they were students whose academic studies covered a range of subjects including economics, computer science and modern languages. In the same arena, they were members of or in positions of responsibility within a society or circle (for example, President of the Angling Society and member of the Hip-Hop Dance Circle) and part-time employees (such as waiter, cram school teacher and cashier in a convenience store); in *family*, they were brother/sister, son/daughter, and/or grandson/granddaughter; in *society*, roles included volunteer, friend and romantic partner; and in the final arena of activity, *religion*, which, among the four, was the least discussed. Nevertheless, one role within this arena which surfaced during interactions with learners was that of *miko* (shrine maiden) at a Shinto Shrine.

With this rich treasure trove of information about learners' ordinary lives, switching around names, places as well as incidental detail in order to preserve anonymity, I crafted typical real life-like scenarios. Take one example. 20-year-old sociology student, Daisuke, is at home in Arashiyama, Kyoto Prefecture. He lives with his single mother, Sachiko, *okaa-san* to Daisuke, and two younger twin siblings, sister, *mi-chan* (Midori) and brother, *ha-kun* (Hajime). It is a warm weekday evening in May and his mother, a lawyer, is working late. She asked Daisuke earlier in the day to mind his siblings until she returned home. As dinnertime approaches, his siblings sit on the sofa in the living room watching the film *sen to chihiro no kamikakushi* (*Spirited Away*) on the 42-inch flatscreen Panasonic TV, a pre-occupied Daisuke prepares supper consisting of instant miso soup, rice, which he takes from a rice cooker on the counter, and grilled mackerel. Placing the food and chopsticks onto three trays, he calls his siblings to the kitchen and directs them to carry their food to the dining room table. Seated, they chat about their days. After dinner, they take the dishes to the kitchen to wash. *Ha-kun* and *mi-chan* then return to the living room and restart the film. Daisuke repairs to his bedroom. Kneeling at the low table in the centre of the tatami-floored room, he opens his computer and begins to work on an essay, which is due the next day. Ten minutes later his smartphone dings. Removing it from his back pocket, he sees a message from his girlfriend. She is in the Family Mart convenience store in Umeda, central Osaka and has just bought tickets to see U2 play Osaka Dome. U2 is one of Daisuke's favourite bands.

The two had other plans for the weekend, but she knew that he would not want to miss it. He calls her excitedly and they talk. After twenty minutes, concerned that he might have to pull an all-nighter if he wanted to finish his essay before the deadline, Daisuke apologises and cuts the conversation short. Switching his smartphone to silent mode, he returns to his computer. Thirty minutes later, he hears his siblings shouting and dashes into the living room. The film has finished and Hajime and Midori are fighting over the TV remote control. They want to watch programmes on different channels: *ha-kun* wants to see *Karaoke Battle* on the national NHK network, *mi-chan*, *Doraemon*, on the local KBS network. Daisuke settles the dispute by having the winner of *jan-ken* or, rock, paper, scissors, decide what to watch. He then returns to his bedroom and refocuses his attention on his essay. An hour later his mother's car pulls into the driveway. Greeting her as she walks in, Sachiko thanks Daisuke for minding his siblings and, now past their bedtime, she tells them to turn off the TV and prepare for bed. Daisuke returns to his room and eventually finishes his essay at 4am. He closes his computer, and places it in his bag. He then folds up the low table and stows it in the wardrobe. From the cupboard he takes out his futon and bedding and, laying them out on the floor, turns in.

In this example, Daisuke moves in and around the space of the family home through a single evening between three roles within the arenas of *work*, *family* and *society*. Particular spaces in the home lend themselves to the performance of certain roles over others and decisions to switch from one role to another are prompted by interruptions that originate from outside and within the family home. In fact, with an essay deadline looming, had his mother not called earlier in the day, that evening Daisuke would have been working in the peace and quiet of the local public library. When his mother reaches out to him, he is taking lunch in the university cafeteria. Given that *okaa-san* is a single working mother, and he could, if pressed, write his essay at home, he agrees to mind his siblings after they return home from school. Daisuke's authority as sibling minder is derived from a combination of four factors. The first is that his mother has ceded him temporary authority; the second is that he is the most senior of his siblings; the third is that he is male; and the fourth is that, reaching the age of majority after attending, just four months earlier, the mid-January *seijin shiki*, Coming of Age ceremony, he is a fully-fledged adult. Within the family home, two roles preoccupy Daisuke's attention: minder and student. He performs the role of minder in the kitchen and in the dining room and the role of student in his bedroom. The TV in the living room performs the function of proxy minder to Daisuke's siblings while he is in his bedroom. During the evening, he is interrupted unexpectedly on two occasions. The first, from outside the home after his girlfriend messages him; the second, from within it when he hears shouting from the living room. After the first interruption, while his attention is diverted from his essay, the fact that his mobile device is on his person means that he can perform the role of romantic partner within his bedroom. This is the only point in the evening where all three roles are in play. However, the role

of romantic partner temporarily overrides those of minder and student until, that is, the sight of his computer pulls his attention back to his essay. After the second interruption, he leaves his essay once again but rather than remaining in his bedroom, he decides to go to the living room where his presence is required. Standing before *ha-kun* and *mi-chan*, who remain seated on the sofa, he asserts his authority in order to determine the cause of the commotion and to identify a quick, yet effective resolution.

Moving now from the domestic environment of a family home in Arashiyama, we turn to the space of the EL classroom within a private university in Kyoto City. Presented below are three typical real life-like scenarios of the everyday realities commonly faced by young mostly privileged people in the second decade of the twenty-first century.

Real life-like Scenario 1: Ichiro, a learner in one of my EL classes, is studying for a degree in the Chinese language. He has a vocabulary test in the next class and it is worth 10% of his final semester grade. The problem he faces is that he has not had sufficient time to prepare for it. Three days prior to the test his grandfather, Toshiki, known to Daisuke as *ojii-san*, passed away following a heart attack at the gym near the family home in Tondabayashi, Osaka Prefecture. His funeral took place two days later, one day before the test. He had been close to both of his grandparents. He and his sister, Naoko, *na-chan* to Daisuke, grew up on the family farm which is spread across expanses of land beside and around the home. While his parents tended to it – planting and harvesting rice in the paddy field; growing apples, oranges and grapes in the fruit orchards; pumpkin, aubergine and onion in the vegetable plots; and feeding and milking the cattle in the cow shed - his grandfather and grandmother, who died three years before, took care of Ichiro and Midori. They cooked their meals using produce from the farm, got them ready for school when they were young, helped them with their homework and read to them before bed. In fact, they were more like parents than were their natural parents. Ichiro learned the news of his grandfather from his mother who called him while he was having supper in a ramen restaurant in the Ichijōji district of Kyoto City. Deeply upset, he returned to the Hall of Residence where he was living, hastily packed a few clothes in a bag, and left for Tondabayashi City taking the bus to Kawaramachi Hankyu railway station. On the night before his grandfather's cremation, with his father and uncle, he stood vigil over the body. Laid out on a futon in his bedroom and covered with blankets, a small wooden lantern placed near his head illuminated the otherwise dark room as the smell of incense burning in a porcelain dish permeated the air. During the vigil, the attendees took turns dripping water from a shallow lacquered bowl and onto a large olive-green bay leaf, which they held over Toshiki's mouth. One by one, the droplets slid down the length of the leaf's waxy surface and, rolling off the end of the tip, moistened his lips. Early the following morning the body was collected by the funeral service employed by Ichiro's parents to handle the funeral arrangements and transported to the local crematorium. After the service, members of the family gathered around

the remains of the cremated body. Using chopsticks, they transferred the bones into an urn being careful to start with the feet. Later, at home, as Ichiro packed his bag to return to Kyoto, his mother reminded him of the date of the next commemoration of his grandfather's passing in eight days' time. The next day in class, concealing his crib sheet under his desk, Ichiro's mind is on his vocabulary test rather than the pair-work activity he is supposed to be engaging in with his partner sitting beside him. His partner, aware of Ichiro's situation, works on the activity with the pair behind him.

Real life-like Scenario 2: In the same class another learner, Masahiro from Sapporo, Hokkaido, is asleep. He rents a small room close to campus. The university was not his first choice. His parents both work on a production line for an engine manufacturer and they earn below average wages. He had hoped to study computer science at the local state university because it was, for he and his working-class parents, the most affordable option: he would save money not only by living at home but also due to the relatively low cost of tuition. Unfortunately, he failed the entrance exam for the local state university but he got into his second-choice university instead. He considered the option of not going to university at all or retaking the entrance exam he failed next year and study for it at a cram school as a *ronin*, a Japanese word that literally means masterless samurai and carries the negative connotation of being a drifter or a wanderer. Wishing for their son a better life than theirs, his parents strongly urge him to go university. They also felt that going sooner rather than later offered better career prospects. Respectful of his parents' opinions, but concerned about money, he reluctantly agrees. Delighted, his parents tell Masahiro that they will pay his tuition fees providing that he covers his accommodation and living expenses which he can do either by taking out a student loan or finding part-time employment. Preferring not to be in debt so early in life and being burdened with loan repayments after entering the job market, he looks for a well-paying part-time job in Kyoto. The only one he found, however, was in an all-night karaoke bar. He receives an above average wage because he works unsociable hours, usually the graveyard shift from midnight until six o'clock in the morning. He gets home from work at seven o'clock and my class, the first of the day, begins at nine. He arrives in class exhausted. Knowing that he will not be able to stay awake for the duration, he prioritises attendance over participation and takes the risk of being counted as absent.

Real life-like Scenario 3: Economics major, Ayaka, is absent. The day before class, she was riding her brand-new birthday present, a Kawasaki Ninja 250R motorcycle, to university. It was a weekday November morning so the traffic was heavy and, teeming with rain, visibility was poor. Stopped at a red traffic light, still getting accustomed to riding the motorcycle, she releases the clutch too quickly as the light turns green, and the engine suddenly stalls. The driver in the car behind her, seeing the light change, and late for work, presses the accelerator pedal rather harder than he would have done otherwise, does not see Ayaka's stalled motorcycle a few meters in front of him and runs into the back of it. Ayaka, lying on the road with her leg trapped

beneath her motorcycle, is shaken and bleeding. The driver running over to Ayaka, lifts the motorcycle and moves it to the side of the road. He then takes her to the nearest hospital. At reception he informs the clerk of what happened. In the waiting room, he fills out a form and sits with Ayaka until she is called. The doctor attends to the wound and orders a radiograph to check for broken bones. Placed on a gurney, a nurse wheels Ayaka down to the X-ray machine in the basement where radiographs of her left tibia and fibula are taken. Indicating no evidence of breakages, Ayaka is prescribed pain-relief tablets, told to rest and permitted to leave. She is under strict instructions to call the hospital immediately if her condition worsens. The doctor then passes her a copy of her radiograph and directs her to present her prescription and health insurance card to the counter so that the cost of her treatment can be calculated. Like her friends, she receives generous financial support from her father, a wealthy city banker. Nevertheless, following his advice to take a part-time job, she waits tables in a local restaurant. When her name is called to pay the bill, the thought of not being able to afford it does not enter her head.

As these scenarios demonstrate, learners' ordinary lives outside the classroom can impact and interfere with their willingness and drive to work, not to mention, in Ayaka's case, presence, in the classroom. In Scenario 1, Ichiro is observed prioritising roles. The news of his grandfather's passing triggers his familial role as loving and devoted grandson. Overriding his other roles in play at that time and place, he leaves for his family home. In the EL classroom three days later, while he is supposed to be actively engaging in a pair-work activity as a learner, he adopts the role of student since he can afford to lose points for non-participation as this will not have any significant impact on his end of semester EL course grade. However, he will be absent from class next week because he will be going to his grandfather's commemoration ceremony scheduled to take place on the same day. He is permitted four absences and has already used up his allocation so a fifth absence would mean that he would fail to qualify to take the final end-of-semester-exam. However, he decides that the commemoration is more important than his attending the next class so he opts to be absent. In Scenario 2, we see Masahiro prioritising his part-time job. Without it, continuing his studies would not be possible. Being a private university, many of his peers are drawn from the ranks of the middle and upper-classes. Affording the tuition fees for these individuals is taken for granted. Those from lower income backgrounds typically commute to the university from home. Masahiro is among the less well-off but, being from Sapporo – over a thousand kilometres away from Kyoto – he does not have the option of commuting from home. He needs instead to work part-time in order to afford his rent and living expenses. As an employee at karaoke bar, the job is simultaneously supporting and hindering his ability to remain at university as the unsociable hours he works means he does not get sufficient sleep to stay awake during his morning classes. He has resigned himself to failing his EL course a second time and will repeat it next semester. In Scenario 3, we see Ayaka intending to perform her duty as a student as

she rides her motorcycle to the university in order to attend class. However, her commute is interrupted after her motorcycle stalls and the car behind drives into the back of it. The doctor who treats her advises her to return home and rest. Prioritising her health, she takes the advice and rides the city bus home.

In all three examples, in spite of the choices that Ichiro, Masahiro and Ayaka made - all of which, to varying degrees, impacted on their educations - they were hardworking, diligent and motivated to succeed. I know this based, in the cases of Ichiro and Ayaka, on their performances in the same class and, in Masahiro's case, his performance in another class that I taught. Ichiro, ordinarily, was engaged, completed his work on time and to a high standard. Ayaka, similarly, was the epitome of a model learner, with a good record of attendance and high participation scores. I taught Masahiro in a repeater class held on a Saturday afternoon. Masahiro worked the graveyard shift on Fridays but, because he could sleep through to lunch, he was in class before I arrived, alert and primed to work. In the scenarios, we observe the learners making judicious choices in and around the EL classroom about which of multiple co-existing roles within *work, family* and *society* to adopt and it was this realisation that inspired the idea of creating a highly compulsory course which attempted to be empathic and person-centred.

TOWARDS AN EMPATHIC PERSON-CENTRED HIGHLY COMPULSORY COURSE

The model course, which emerged through the interplay between the regulatory environment, the approach to writing ordinary lives, and learner stories, is predicated upon four core principles. These are: *challenge; openness and accountability; availability; and flexibility*. The latter three work in concert to permit learners the time and space to perform other roles in their lives and thereby mitigate against conflict with the regulatory regime while, simultaneously, satisfying the first. Precisely how this was achieved is outlined below. Beginning with a brief overview of the model course around *challenge*, the discussion then turns to the other principles.

Course Overview and the Principle of Challenge

In line with the regulatory environment's requirement that the highly compulsory courses in the EL programme be serious and meaningful pedagogically, the model course was designed to be challenging. It obliged learners to work hard and to manage their time effectively. As has been mentioned, the course requirements were set out in the detailed version of the syllabus and described all the coursework assignments learners were expected to complete over the semester-long course. This coursework, important because it was all subject to formal assessment, included three quizzes, two writing assignments, and an individual in-class presentation. Learners were given two weeks in which to complete the quizzes and writing assignments. The first quiz, for example, was set in Week 4 and due in Week 6. The second writing assignment was set in Week 6 and due in Week 8. The in-class presentation was formally set in Week 5 when learners were

provided with a detailed explanation of the task, and given five weeks to prepare. For a full list of assessed coursework, listed according to the week in which the items were set and featuring corresponding due dates, see Figure 1.

In addition to the assessed coursework, learners could opt to keep a portfolio of their coursework. If they had completed all the coursework by the final deadline of Week 13, they were eligible to submit a portfolio in Week 14. To qualify as *completed*, a piece of coursework had to be submitted, graded and returned by the week of the final deadline. Learners who submitted a complete portfolio earned a bonus 5%, which was added to their final score. A complete portfolio included a front page and a contents page. On the front-page, learners wrote their name, student ID number and class name. There was a space in the middle of the page for learners to personalise their portfolio. Suggestions of how to use it included drawing a picture, attaching a photograph or making a collage. The contents page was a checklist of items for insertion into the portfolio. These included, besides the quizzes, writing assignments and presentation, the course syllabus and a document referred to as the Programme of Work. The latter provided a summary of the work that was required for the course. Similar to Figure 1, it was listed in chronological order by date set. Those learners who had undertaken to 'do' the portfolio procured a plastic folder consisting of transparent A4-sized pockets. An example of such a folder was shown to the class with the first four documents – front page, contents page, syllabus and programme of work – placed inside. This was passed around the class in order to ensure that learners understood what it was that they were being invited to do.

The portfolio served four main functions: two, standard; the other two, non-standard. One of the standard functions of a portfolio is to encourage learners to take *ownership* of the course and treat it not as the teacher's but as theirs (Tierney et al., 1991). In the context of the model course, instructions to learners to purchase a folder for themselves and to personalise the front page were made in order to reinforce the sense of ownership that the portfolio was designed to foster. The second standard function of a portfolio is to have learners practise good records management. The portfolio enables this by providing him or her with a place to store his or her work safely, securely, and tidily (Tierney et al., 1991). The portfolio in the model course had two additional functions. The first of these was to act, while the course was ongoing, as a guide or roadmap enabling learners to navigate their way through the course and to remind them, among other things, of the work that had still to be completed and the dates by which it was due. The other additional function

Coursework item	Work set	Work due
Writing Assignment #1	Week 2	Week 4
Quiz #1	Week 4	Week 6
Presentation	Week 5	Week 10
Writing Assignment #2	Week 6	Week 8
Quiz #2	Week 8	Week 10
Quiz #3	Week 10	Week 12

Figure 1. List of assessed coursework

of the portfolio took effect after they had been graded and returned to learners in Week 14. From this point on, the portfolio ceased to be the working document it had been during the course and became instead not only a permanent record of the course, which could be leafed through much like one would an album of photographs, but also, as a reminder of what the learner had achieved, a source of pride.

A final, important point about the model course was its definition of *active participation*. In the original highly compulsory course, it will be remembered, active participation referred to participation within the confines of the classroom. In the model course, active participation covered participation outside the classroom as well. This meant that if a learner was less than active in class, if he or she was completing the coursework satisfactorily, they would still be earning points for participation. This aspect of participation was referred to as *participation in coursework*.

Openness and Accountability

A course that is open and accountable ensures that learners are both fully aware of what the course entails and actively engaged through its duration. The model course attempted to be open and accountable during the induction, in its approach to grading and in enabling learners to track their progress.

Induction

In the first class of the semester, learners were officially inducted into the course. Occurring over three phases of a ninety-minute class, in the first third, copies of the detailed version of the course syllabus and the programme of work were distributed to each learner. The syllabus featured at the end of the document a set of multiple-choice questions (MCQs) designed to check comprehension including expectations around attendance and conduct. Beneath the questions was a space for learners to write questions about any aspect of the course that they either did not know or understand. When all learners had a copy of the syllabus, they were instructed to read it, answer the MCQs and then think of three questions that they would like to know or clarify about the course. In the second phase of three, learners were organised into groups and instructed to compare their answers to the MCQs. After that, learners were directed to discuss their questions and agree as a group on the top three. In the final phase of the induction, groups were allocated MCQs to answer. They were then asked to nominate one person in the group to go to the front of the class and, in large script, to write on the board their answers to the MCQs and the group's best three questions. During this phase, the instructor observed the learners at work from the back of the classroom. After the groups had done this, the instructor returned to the front of the class where the groups were directed to check all the answers. In the event that they their answers diverged from those on the board, they were instructed to declare the fact and explain why they believed their answers to be correct. After this, the instructor revealed the correct answers and then responded to each group's questions both orally and in writing. Through this

sequence of activities learners from the first class acquired a detailed and memorable understanding of the course and its requirements.

Grading

The course was open about how the items of coursework were graded. There was, for instance, a simple grading rubric (called scoring guidelines) for writing assignments. This was presented in the week in which the first writing assignment was set. The rubric enabled learners to understand how they could achieve a good grade. They were informed at the outset that if they fell short of the minimum requirement, expressed as a specific number of words, or committed plagiarism, they would receive zero points. In the writing assignments, learners were encouraged to use the vocabulary and grammar from their respective textbooks. Instructions on how to complete the quizzes were explained in the week that the first quiz was set. Similarly, the presentation task was formally introduced in Week 5. This was presented orally and in written form. Openness about grading schemes notwithstanding, expectations and requirements for assessed coursework, which were made clear in advance of it being set, would, in theory, have made it apparent to learners when their work was returned to them, why they received the grade that they did. In this sense, accountability was already built into the grading system. However, if it was not readily apparent to a learner why they received a particular grade, the system provided an appeals procedure. If the appeal was unsuccessful, the grade was explained by reference to the grading rubric. If, on the other hand, the appeal was successful, the grade was amended accordingly.

Tracking progress

Learners could track their progress in two ways. As each item of coursework submitted was returned with the grade clearly marked on it, learners were left in no doubt as to what they had done and how well they were doing. Learners were also free at any point during the course to request their real-time overall weighted grade. This information was provided care of a spreadsheet in which attendance, participation and scores for coursework received were carefully recorded. The spreadsheet was updated weekly ensuring that the information within it was not only accurate but also current. Information could also be supplied to learners on request about the coursework that they had not yet submitted and/or to remind them of deadlines for work required in the future. An additional advantage of the spreadsheet was that it facilitated accountability at the end of the course. For learners seeking an explanation of their final grade, the spreadsheet provided the basis for a comprehensive and detailed account.

Availability

All the documentation produced for the course – syllabus, programme of work, task explanations for the portfolio and presentation, scoring rubrics for the writing task and presentation

– were all available to learners on the university’s virtual learning environment, Moodle, from the first week of course. This was accessible at any time inside or outside the classroom through the internet via connectable devices including smartphones. Each course had its own Moodle page which was subdivided into Topics from 1 to 15. Topic numbers referred to Week numbers and documentation was uploaded to the corresponding weeks in which it was introduced. Under Topic 1, for instance, the course syllabus, programme of work and documentation pertaining to the portfolio including the task explanation, front page and contents page, were uploaded. Under Topic 2, learners found two Word documents: the writing assignment itself plus, since it was the first writing assignment, the scoring rubric. Learners were at liberty to print out any and all documentation whenever they wished and could complete and submit coursework at any time prior to the dates by which it was due. As mentioned above, copies of the quizzes and writing assignments were distributed in class in the weeks that they were set. Learners absent from classes in these weeks did not receive a paper copy; they were directed instead to print out the relevant item from Moodle. It will be remembered that in the first class of the semester, learners received two key documents pertaining to the course: the detailed syllabus and the programme of work. Learners who did not attend this class were advised to print these items from Moodle and then induct themselves into the course by reading the syllabus and completing the quiz in their own time. In this way, they received the same information that was provided to the learners in the first week.

Flexibility

The course was flexible in two main senses: the spacing of coursework tasks, on the one hand, and the amount of time permitted to complete the tasks, on the other.

Coursework deadlines

Learners were given a period of two weeks to complete the quizzes and writing assignments. They were permitted, as mentioned above, to submit work in advance of the due date as well as after the due date so long as it was submitted by or in Week 13. Of course, it was preferable that learners submit work by the due date, and so, to encourage timely submission, late work received half-marks. For instance, a quiz that received an overall score of sixteen points, when submitted late, was marked as being late and received eight points. As for the presentation task, learners were formally introduced to it in Week 5. This gave them a total of 5 weeks to plan, write, prepare visual aids, and rehearse. Unlike the quizzes and writing tasks, learners were not permitted to do their presentations before the due date of Week 10 but could deliver them to the class up to Week 13. Late presentations also received half-marks. Week 10 was an important week in the course. Learners in this week not only had to deliver their presentations, they also had to submit the second quiz. Then, at the end of the class, they each received a paper copy of the third quiz.

While these rules were strictly observed - for instance, learners offering work for grading after Week 13 was not

accepted – the same rules allowed learners to complete the work on time, before time or otherwise around their myriad other roles in other areas of their lives. If, for instance, a learner had a piece of coursework due for his or her first degree, the course enabled him or her to plan ahead and to successfully complete both.

Attendance policy

The second sense in which the course was flexible was in its interpretation of the university’s attendance policy. In this, learners were permitted up to four absences. If they exceeded that number then they were not permitted to take the final end-of-semester exam, which significantly reduced the probability of their passing the course. However, the university operated a system whereby learners were excused from being absent in certain limited and specific circumstances. This meant that a learner could theoretically be absent from class more than four times and still qualify to take the final exam. The university’s rules governing excused absences were strict. In the university attendance policy, learners were granted an excused absence in only two circumstances: one, for representing the university at a high-profile sporting event; the other, for an official diagnosis of influenza or other illness preventing attendance. This involved completing the relevant paperwork and submitting the required proof. Learners participating in high-profile sporting events could request a form issued not by GSU but by another administrative section within the university. The form had to be completed in full and bear an official stamp. Learners who contracted a virus such as seasonal influenza were required to remain at home for a period of seven days. This was a legal requirement set in legislation under the 1958 School Health and Safety Act in order to prevent virus transmission. To qualify, learners had to complete the relevant paperwork with an official diagnosis from a qualified doctor bearing an official stamp. Excused absences were normally granted on the condition that make-up work be completed to a satisfactory standard. The regulatory environment required that it take approximately ninety minutes to complete and cover the content of the class missed.

The rules governing attendance of the model course followed the spirit of the university’s policy - the philosophy behind it and those non-negotiable aspects including the number of permitted absences and the circumstances in which *excused absences* were granted - but broadened its scope accepting that there could be a range of legitimate reasons preventing learners from attending class above and beyond those stipulated by the university. The course attendance policy granted what is termed *legitimate absences*. (Note that while the granting of *legitimate absences* and *excused absences* had the same effect, the former referred to permitted absences beyond the scope of the university’s official policy). Before a legitimate absence was approved four factors were taken into consideration. These were as follows:

1. The applicant’s oral or written testimony, explaining the reason or reasons for the absence;
2. The nature of the documentary proof submitted and the information provided therein;

3. The applicant's record of attendance and work completed prior to the absence;
4. Whether the applicant had completed the work set to make up for the absence.

The factors translated into four corresponding tests. These were:

1. Was the applicant's testimony reasonable? Were the reasons given for the absence sound?
2. Was the documentary proof submitted to justify the absence acceptable?
3. Was the applicant's record of attendance and work completed satisfactory?
4. Had the applicant completed to a satisfactory standard the work set to make up for the absence?

A legitimate absence was ordinarily granted where an applicant passed all four tests. In the first test, the applicant's reasons for being absent given in testimony needed to be valid. Did they, in other words, have the ring of truth? Were they, from an epistemological point of view, trustworthy? This judgement was formed based on how well the testimony made logical sense in the context of the story being told. Where an event was planned, the testimony had to be submitted prior to the absence. Where the absence was unplanned, the testimony had to be submitted by or in the week following the absence. Testimony could be submitted verbally in class, during office hours or by formal appointment. It could also be submitted in writing via email or letter. The second test concerned the production of acceptable documentary proof. It required that the applicant undertake what Lackey (2006) terms, 'positive epistemological work' in order to establish the veracity of his or her claims (p.5-6). This requirement was not prescriptive suffice it to say that the more official it was, the more credibility it carried. The type of proof offered notwithstanding, it also had to have written on it a date or period of time coincidental with the absence. In cases where learners were unable to provide valid proof of absence, where the absence was planned such as a club-related sporting event or competition for which the university did not issue excused absence forms, learners had to ask the responsible person to write a letter addressed to the instructor bearing the responsible person's title, contact details and *inkan* (official stamp). The letter had to state the event name, the date, the time it would take place, and the location. Where a learner obtained documentary proof of absence or where he or she had the responsible person write a letter confirming his or her testimony was clear indication that the learner's testimony was truthful. The third validation test was to cross-check the applicant's testimony and proof submitted with his or her academic record. Here the trustworthiness of the learner's testimony was considered in relation to the applicant's record of attendance and coursework. If, for instance, the learner had completed none of the work required up to the time of the absence and/or the person's attendance record was poor, the application was deemed not to be credible and the learner was, in all likelihood, attempting to cheat the system. In such an event, the learner's request for a legitimate absence would be rejected. If, on the other hand, the learner had good attendance and coursework submitted

to deadline, this indicated that the application was genuine. The fourth and final test was submission of the work that the learner was set to make up for the class from which they were absent. If a learner successfully passed all four tests, a legitimate absence was granted.

In the case of the learners in the real life-like scenarios, if we think back to Ichiro and his having to be absent from class in order to attend his grandfather's commemoration ceremony scheduled to take place eight days after the funeral. In the original course he would have not have qualified for an excused absence. However, in the model course, since this was a planned event, had he offered his reason in advance of the class from which he would have been absent, he would have passed the first test since his reason would have qualified as valid. He would have satisfied the requirements of the second test if he had had either his mother or father write a note explaining why Ichiro would be or had been absent. On the third test, he would only have met one part of the two-part requirement to satisfy it. His attendance, it will be remembered, with four unexcused absences to his name, was poor. However, all the coursework that was due up to that time had been submitted in advance of the dates by which it was due and completed to a high standard. Given this, the decision to grant a legitimate absence would, in Ichiro's case, have hinged on whether he would have passed the fourth test and completed the make-up work to a satisfactory standard. In Ayaka's case, her accident was, of course, unplanned. Her testimony describing the circumstances of her absence would have been accepted as valid. She would have passed the second test had she presented as evidence in the form of a *shindan sho* (doctor's letter). She was a model learner and, as such, she would have passed the third test and, doubtless, the fourth. Masahiro's case serves to illuminate the limitations of the revised attendance policy. His reason for not participating in the course was valid so he would have passed the first test. However, even if he had decided to apply for a legitimate absence owing to the sensitivity of his situation, it is unclear precisely how he could have satisfied the second test. Yet, failing to qualify to take the final exam in Masahiro's case, did not necessarily mean he would fail the course. While it would certainly have reduced the probability, the flexibility built into the course was enabling him to complete the coursework satisfactorily and on time. In the model course, participation in coursework counted towards overall active participation. Even though he was being counted as absent because he could not stay awake, he was still getting points for participation in coursework. Furthermore, since he could choose to start a portfolio at any point in the course, if his real-time overall weighted score suggested that he was going to fail by a small margin, submission of a complete portfolio in Week 14 could have lifted his final grade over the 60% required to pass the course.

CONCLUSION

This paper has presented a model of a highly compulsory course reconfigured within the parameters of the regulatory environment of a general education programme operated by an administrative unit within a private university in

Kyoto City, Japan. Setting the regulatory environment in the historical context provided by philosopher-historian, Michel Foucault, and refusing its determination of the young people conscripted to the course as learners, and consequent indifference to their lives outside the classroom, I extrapolated from the work of cultural historian, Catherine Hall, an approach to writing ordinary lives in order to provide a basis for understanding how the regulatory environment and the lives of those cast as learners interacted. Using detail accrued through interactions with learners over a period of eighteen months in the mid-2010s, the typical real life-like scenarios which emerged inspired the development of a highly compulsory course that attempted to be empathic and person-centred. The resulting course was underpinned by the principles of *challenge, openness and accountability, availability* and *flexibility*. Highly compulsory courses in subjects which are unrelated to a student's chosen first degree and the regulatory environments that produce them are becoming a more common feature of the higher education landscape

across Asia. The model course presented and the ideas that underpinned its development offer, on the one hand, an approach to enabling the production of highly compulsory courses that are empathic and person-centred, and, on the other, a possible solution to the problem.

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