

A COMPARATIVE STUDY ON THE INTEGRATION OF ECEC SYSTEMS IN TAIWAN AND JAPAN: FOCUSING ON THE LEGAL FRAMEWORKS OF “PRESCHOOLS” AND “CENTERS FOR EARLY CHILDHOOD EDUCATION AND CARE”

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Abstract: This study compares the legal frameworks governing early childhood education and care (ECEC) system integration in Taiwan and Japan, focusing on Taiwan’s unified Preschools and Japan’s Certified Centers for Early Childhood Education and Care. Using doctrinal legal analysis and comparative policy history, we examine primary statutes including Taiwan’s 2011 ECEC Act and Japan’s 2006 Act on Comprehensive Promotion of Education and Care for Preschool Children and apply a five-dimension comparison matrix encompassing governance, service scope, standards, financing, and central–local coordination. Findings reveal high convergence in curriculum standardization but fundamental divergence in integration models: Taiwan adopted a Full Merger, creating a single legal entity under a centralized ministry, whereas Japan implemented a Collaborative System, preserving dual tracks while adding Certified Children’s Gardens as bridging institutions. These contrasting paths reflect path-dependent legacies of governance traditions and private-sector influence, and embody a core policy trade-off between administrative unification and service flexibility. Recent developments Taiwan’s push for extended care and Japan’s 2023 establishment of the Children and Families Agency suggest both systems are converging toward their respective deficits. Ultimately, this study provides a replicable diagnostic tool to help nations navigate the inescapable tension between administrative efficiency and diverse service needs.

Keywords: ECEC integration, legal frameworks, comparative policy, path dependence, policy trade-off

Introduction

The Global Legacy of Institutional Fragmentation

Early childhood education and care (ECEC) systems worldwide have long been characterized by a structural divide between “education” and “care”—a fragmentation that is not unique to any single nation but constitutes a global historical legacy rooted in the assignment of these services to different ministries, regulatory frameworks, and workforce systems (OECD, 2006). This fragmentation has led to inequitable resource distribution, inconsistent service quality, and systemic constraints on workforce

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professionalization (OECD, 2021). Bennett (2003) argued that this persistent division originates in the distinct social functions historically attributed to each service, making it a structural rather than merely technical problem.

In East Asia, the urgency of integration has intensified. Taiwan and Japan both face severe declining birth rates and a rapid rise in dual-income families, generating strong demand for institutional childcare. Taiwan enacted the Early Childhood Education and Care Act (hereafter the ECEC Act) in 2011, merging its former kindergartens and nurseries into a single institution—the “Preschool” (幼兒園)—effective from 2012 (Ministry of Education [MOE], 2011/2024). Japan took a different path by enacting the Act on Comprehensive Promotion of Education and Care for Preschool Children (hereafter the Certified Children’s Gardens Act) in 2006, which created Certified Children’s Gardens (認定こども園) as bridging institutions while preserving the existing dual tracks of kindergartens and nurseries (Cabinet Office, 2006).

Crucially, both systems have entered a new phase of institutional adjustment. Taiwan’s ECEC Act has undergone multiple amendments, with recent revisions expanding public ECEC provision, mandating extended care services, and improving workforce conditions (MOE, 2011/2024). Japan established the Children and Families Agency (こども家庭庁) in 2023 to consolidate child-related administrative functions (Act on Establishment of the Children and Families Agency, 2022), and plans to launch the “Anyone Can Attend” (誰でも通園) system in 2025, which would decouple childcare eligibility from parental employment status. These developments make a comparative analysis of the two integration models both timely and academically significant.

Literature Review and Research Positioning

Accumulated Knowledge in Comparative ECEC Research

The comparative study of ECEC systems has accumulated a substantial knowledge base over the past two decades. The OECD’s *Starting Strong* report series has systematically reviewed ECEC policies across dozens of member states (OECD, 2001, 2006). Kaga et al. (2010), in a UNESCO-commissioned cross-national study, provided a panoramic analysis of countries that integrated ECEC within education systems, documenting Sweden’s landmark 1996 transfer of ECEC responsibilities to the Ministry of Education. More recently, OECD (2021) highlighted systemic constraints that fragmentation imposes on workforce quality and professional development.

Emerging East Asian Perspectives

East Asian perspectives have gradually gained visibility in the international literature. South Korea, having implemented its unified Nuri Curriculum in 2013, continues to negotiate the administrative merger between its Ministry of Education and Ministry of Health and Welfare (Moon & Landsberg, 2018). Taiwanese scholars have examined post-merger implementation challenges, including workforce integration frictions and regulatory adaptation difficulties (Zhuo, 2023). Japanese researchers have focused on the implications of the Children and Families Agency for existing cross-ministerial coordination and the potential impact of the “Anyone Can Attend” policy on the categorized certification logic (Ikemoto, 2022).

Research Gap and Positioning

Despite these contributions, existing comparative research tends to adopt single-dimension perspectives—focusing exclusively on curriculum quality, workforce development, financing mechanisms, or governance structures. Systematic comparisons that integrate governance, service scope, standards, financing, and central–local coordination into a unified legal framework analysis remain scarce, particularly for the Taiwan–Japan pairing. Moreover, the recent major legal reforms in both countries—Taiwan’s ongoing ECEC Act amendments and Japan’s establishment of the Children and Families Agency—mean that earlier comparative studies no longer fully reflect the current institutional landscape. This study addresses this gap by constructing a Five-Dimension Comparison Matrix that integrates previously dispersed analytical perspectives into a systematic *de jure* framework analysis, constituting the study’s primary methodological innovation.

Research Objectives and Questions

This study aims to compare the legal frameworks of ECEC integration in Taiwan’s Preschool system and Japan’s Certified Children’s Gardens system. Two research questions guide the inquiry: (1) How does legal design affect the coherence of ECEC services? (2) How does legal design constrain the diversity of ECEC services? These seemingly opposing questions point to a fundamental tension within integration—the trade-off between administrative efficiency and service flexibility.

Materials and Methods

Doctrinal Legal Analysis

The primary method employed is doctrinal legal analysis, involving systematic examination of each country's enabling legislation, implementing regulations, and ministerial guidelines. For Taiwan, the core legal source is the ECEC Act (MOE, 2011/2024), with analysis focused on provisions governing the designation of competent authorities (Articles 2–5), institutional establishment and management (Chapter II), and curriculum and educare services (Chapter III). For Japan, the core sources include the Certified Children's Gardens Act, specifically the four-type institutional classification (Article 3) and standards for education and care content (Article 10) (Cabinet Office, 2006); the Child and Child-Rearing Support Act, particularly the three-category certification system (Article 19) (Child and Child-Rearing Support Act, 2012); and the Act on Establishment of the Children and Families Agency (2022).

It should be noted that this study focuses exclusively on the *de jure* dimension—how legal texts design the institutional architecture, service scope, and governance logic of integration. Findings should therefore be understood as a comparison of institutional design intentions, not an evaluation of implementation outcomes. The *de facto* dimension is addressed as a research limitation in Section 4.6.

Comparative Policy History

Complementing the legal analysis, comparative policy history traces the historical trajectories and administrative contexts through which each system evolved from dual-track arrangements toward integration. This method illuminates path dependence (Pierson, 2000)—the ways in which pre-existing institutional structures, including administrative traditions, organized stakeholder interests, and political influence of private-sector providers, constrain and shape current legal frameworks.

Five-Dimension Comparison Matrix

To ensure systematic and replicable comparison, the study constructs a Five-Dimension Comparison Matrix. The matrix was developed through a two-stage process: first, the OECD's policy evaluation framework covering governance, quality, and financing (OECD, 2006) served as an initial reference structure; second, thematic coding of the primary statutes of both countries yielded five key structural elements of integration: (1) governance architecture, (2) service scope, (3) standards for education and care, (4) financing, and (5) central–local coordination. These dimensions respectively address the fundamental design questions of “who governs,” “what is governed,” “to what standard,” “who pays,” and “how is authority distributed.” Table 1 presents the operational definitions, core legal sources, and analytical foci for each dimension.

Table 1: Operationalization of the Five-Dimension Comparison Matrix

Dimension	Operational Definition	Core Legal Sources	Analytical Focus
Governance	Ministerial jurisdiction and administrative chain of command	TW: ECEC Act, Arts. 2–5; JP: CCG Act, General Provisions; CFA Establishment Act (2022)	Centralization vs. dispersion of administrative authority
Service Scope	Eligibility criteria and statutory service-hour classification	TW: ECEC Act, Ch. II; JP: Child Support Act, Art. 19 (three-category certification)	Standardized vs. differentiated access design
Standards	Degree of unification in curriculum frameworks	TW: National Curriculum Guidelines; JP: Three synchronized curriculum standards (2017 revision)	Convergence or divergence in “software” quality
Financing	Revenue structure and subsidy mechanisms	TW: ECEC Act regulations, tuition-free/quasi-public policies; JP: Official Price system, employer contributions	Centralized allocation vs. multi-stakeholder cost-sharing
Coordination	Division of authority between central and local governments	TW: ECEC Act intergovernmental provisions; JP: Local Autonomy Act, CCG Act local discretion clauses	Central direction vs. local autonomy

Note. TW = Taiwan; JP = Japan; CCG = Certified Children’s Gardens; CFA = Children and Families Agency.

Results

The five-dimension matrix reveals one major structural convergence and three key structural divergences between the two systems.

Convergence: Standardization of Education and Care Quality

The “standards” dimension exhibited the highest degree of convergence. Both countries successfully unified their curriculum frameworks—the “software” layer—to ensure educational consistency. Taiwan’s MOE, authorized under Chapter III of the ECEC Act, established the National Curriculum Guidelines for Preschools, covering six developmental domains applicable to all public and private preschools. Japan’s Ministry of Education, Culture, Sports, Science and Technology (MEXT) and Ministry of Health, Labour and Welfare (MHLW) completed synchronized revisions of three curriculum standards in 2017—the Kindergarten Education Guidelines, the Nursery Care Guidelines, and the Certified Children’s Garden Education and Care Guidelines—achieving substantive content alignment across all three institutional types. This convergence demonstrates that even where the “hardware” of integration architecture differs fundamentally, both countries regard curriculum quality standardization as a non-negotiable baseline.

Divergence 1: Governance Architecture

The first key divergence lies in governance. Taiwan adopted vertical integration within the education system. Under Articles 2–5 of the ECEC Act, the central competent authority is the MOE, and local competent authorities are the education bureaus of municipalities and counties, forming a clear top-down administrative chain (MOE, 2011/2024). Japan presents a complex cross-sectoral coordination structure: kindergartens fall under MEXT (per the School Education Act), nurseries under MHLW (per the Child Welfare Act), and Certified Children’s Gardens were originally coordinated by the Cabinet Office (per the CCG Act), with local municipalities exercising extensive discretionary power over certification and management (Cabinet Office, 2006). Following the 2023 establishment of the Children and Families Agency, some functions were transferred to the new agency, but MEXT retains jurisdiction over kindergartens, leaving the multi-ministerial coordination framework fundamentally intact (Act on Establishment of the Children and Families Agency, 2022).

This divergence exemplifies institutional path dependence (Pierson, 2000). In Taiwan, the government has historically maintained strong directive control over the education system, making a top-down full merger politically feasible—the state could legislatively unify two institutional types into a single legal entity without protracted negotiations with large-scale private stakeholders. Japan’s situation is fundamentally different: private kindergartens have historically constituted approximately 70% of all kindergartens, and private nurseries also represent a substantial share (MEXT, 2022). These private institutions, organized through powerful national associations such as the All Japan Private Kindergarten Federation, exert considerable political influence. Any proposal for forced merger would inevitably encounter strong

institutional resistance. Consequently, Japan adopted a strategy of “negotiated compromise” rather than “enforced merger”—preserving the existing dual tracks while adding Certified Children’s Gardens as a third pathway, advancing integration through “addition” rather than “replacement” (Cabinet Office, 2006).

Divergence 2: Service Scope

Taiwan’s ECEC Act (Chapter II) provides standardized care by age: all children aged 2–6 receive uniform statutory service hours regardless of parental employment status (MOE, 2011/2024). This design logic pursues universality of access. Japan, by contrast, implements a categorized care certification system under Article 19 of the Child and Child-Rearing Support Act (2012): Category 1 (children aged 3+, no care needs—standard education hours), Category 2 (children aged 3+, care needs due to parental employment—standard or short-time care), and Category 3 (children under 3, requiring care). Within a single Certified Children’s Garden, children of different certification categories receive differentiated service hours. This design acknowledges the heterogeneity of family needs, attempting to provide flexible responses within a unified institutional framework.

Divergence 3: Financing

Taiwan employs a highly centralized education budget model, with the central government distributing standardized subsidies—including tuition-free policies and quasi-public partnership mechanisms—through a single fiscal channel. Japan uses the “Official Price” (公定価格) system, in which costs are shared among the national government, local municipalities, and employers (through the employer contribution mechanism), with funding levels varying by certification category and facility type. This divergence reflects a fundamental difference in public finance philosophy: centralized resource pooling versus multi-stakeholder cost-sharing.

Comprehensive Comparison

To synthesize the findings across the five dimensions, Table 2 provides a comprehensive overview of the de jure convergences and divergences between the ECEC frameworks of Taiwan and Japan.

Table 2 Summary of ECEC Integration Legal Frameworks

Dimension	Taiwan	Japan	Pattern
Governance	Vertical: MOE single jurisdiction	Cross-sectoral: 3 ministries + CFA	Divergence
Service Scope	Standardized by age; uniform hours	Categorized (1/2/3); differentiated hours	Divergence
Standards	Unified national curriculum	Three curricula synchronized	Convergence
Financing	Centralized budget; standard subsidies	Official Price; tripartite cost-sharing	Divergence
Coordination	Central direction, local execution	Extensive local discretion	Divergence

Discussion

Two Integration Models

Taiwan: The Full Merger Model

Under the ECEC Act, Taiwan legally abolished the former dual-track system, transferring all nursery functions from the Ministry of the Interior to the MOE and creating a single legal entity—the Preschool (MOE, 2011/2024). This model exhibits high internal consistency with its vertical governance, standardized service scope, and centralized financing. The institutional logic can be summarized as a one-time legislative reconstruction that entirely eliminates the structural divide between education and care.

Japan: The Collaborative System Model

Japan preserved the historical dual tracks while adding Certified Children's Gardens as bridging institutions. Article 3 of the CCG Act defines four subtypes—the Combined Type, Kindergarten Type, Nursery Type, and Locally Determined Type—reflecting the system's deliberate preservation of multiple pathways (Cabinet Office, 2006). The institutional logic is not to eliminate difference but to create new institutional junctions while acknowledging historical path dependence.

Global Positioning

On the global ECEC integration spectrum, Taiwan's Full Merger trends toward the extreme unification end, structurally resembling Sweden's Educare model, in which ECEC was transferred from social welfare to the Ministry of Education in 1996 and subsequently incorporated into the national education system (Kaga et al., 2010; OECD, 2006). Japan's Collaborative System occupies the framework integration end, sharing structural affinities with Australia's National Quality Framework (NQF), which ensures service consistency through national quality standards and unified assessment rather than forced institutional merger (ACECQA, 2012). This positioning demonstrates that "integration" is not a linear path toward a single endpoint, but a continuum encompassing multiple possible configurations.

The Core Argument: Policy Trade-off

The study's central analytical argument is that integration admits no perfect solution—only trade-offs among competing value priorities. Taiwan's Full Merger represents an efficiency orientation. It delivers high administrative unification—a single statute, a single ministry, a single centralized budget, and a single workforce standard. However, the trade-off cost is regulatory rigidity: uniform service hours struggle to accommodate the differentiated needs of diverse working families, and local governments have limited adaptive autonomy.

Conversely, Japan's Collaborative System represents a flexibility orientation. It preserves service diversity—parents can select certification categories matching their employment status, and institutions can offer differentiated hours. The trade-off cost is extreme administrative complexity: three parallel tracks involve multi-ministerial coordination, complex tripartite financing, and significant potential for regional disparity.

This "trade-off" perspective liberates the discussion from the binary frame of "which model is better" and redirects attention to the value priorities underlying different institutional choices. Efficiency and flexibility are not inherently incompatible, but at any given point in institutional design, tension between them is real. Acknowledging this tension is the starting point for rigorous comparative policy analysis.

Recent Developments: Convergence from Opposite Ends

Both countries' recent policy trajectories provide further empirical support for the trade-off thesis. Taiwan, having completed its administrative merger, now confronts a deficit of service flexibility. Recent ECEC Act amendments have expanded public provision, mandated extended care services in public preschools,

and improved workforce conditions (MOE, 2011/2024)—all attempts to inject flexibility into the unified framework.

Japan is moving in the opposite direction. The Children and Families Agency, established in 2023, consolidated child-related functions previously dispersed across the Cabinet Office, MEXT, and MHLW into a single new agency (Act on Establishment of the Children and Families Agency, 2022). The planned “Anyone Can Attend” system, expected in 2025, would allow all children to access childcare regardless of parental employment status—fundamentally altering the categorized certification logic of Article 19 of the Child and Child-Rearing Support Act. If realized, this reform would move Japan toward Taiwan-style universalized access. Both countries are thus converging from opposite ends of the spectrum, confirming the self-correcting logic of institutional evolution: extreme unification requires supplemental flexibility, and framework integration requires progressive consolidation.

Cross-National Applicability

Taiwan and Japan, as empirical cases occupying opposite ends of the integration spectrum, offer important reference points for countries undertaking similar reforms. South Korea, having achieved curricular convergence through the Nuri Curriculum, continues to negotiate jurisdictional consolidation (Moon & Landsberg, 2018). However, institutional models cannot be directly transplanted: integration paths are deeply constrained by each country’s unique cultural traditions, political structures, and social contexts. The methodological value of the Five-Dimension Comparison Matrix lies precisely in its provision of a cross-nationally applicable diagnostic tool: any country can position its current institutional status along these five dimensions, identify internal tensions, and locate its own equilibrium between efficiency and flexibility.

Limitations and Future Research

This study focuses on the *de jure* dimension—its findings reflect institutional design intentions as encoded in legal texts. However, the gap between legal norms and actual implementation cannot be overlooked. On the *de facto* level, Taiwan’s post-merger transition may involve workforce identity frictions, administrative culture clashes, and transitional quality deficits (Zhuo, 2023). Japan’s three-track parallelism may produce regional disparities in Certified Children’s Garden establishment rates, local administrative overload, and excessive compliance costs for private providers (Ikemoto, 2022). These questions exceed the methodological reach of doctrinal legal analysis. Future research employing fieldwork, surveys, and in-

depth interviews is needed to examine how *de jure* designs are translated, deviated from, and locally adapted in practice.

Conclusion

This study has systematically compared the legal frameworks of ECEC integration in Taiwan and Japan using doctrinal legal analysis, comparative policy history, and a Five-Dimension Comparison Matrix. Four principal findings emerge. First, in the standards dimension, both countries exhibit high convergence—curriculum unification has become a shared quality baseline regardless of differences in institutional architecture. Second, in governance, service scope, and financing, the two countries display fundamental structural divergences, giving rise to the Full Merger and Collaborative System models—divergences deeply shaped by path-dependent legacies of governance traditions and private-sector influence (Pierson, 2000). Third, these two models represent different priority orderings of administrative efficiency and service flexibility, constituting an inescapable policy trade-off. Fourth, both countries' recent policy convergence—Taiwan seeking flexibility, Japan seeking unification—reflects a self-correcting mechanism in institutional evolution.

Legal design simultaneously determines institutional coherence and constrains service diversity. By making the logic of integration visible and constructing a cross-nationally applicable diagnostic framework, this study aims to support the development of more equitable ECEC systems and to strengthen the evidence base for cross-national dialogue on sustainable education policy.

Declaration

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