

FOREWORD

Pension law is fascinating. At a human level, its impact on a rapidly aging population cannot be overestimated. At a legal level, the challenge posed by issues in the field of pension law is unparalleled. Two factors contribute to this challenge.

First, as a newly emerging area of law, its structure is not fully established. Until that occurs, the predictability one needs and expects from the legal system cannot be had. The task of putting structure into this area is made more difficult by the fact that pension law is the intersection of a number of areas of law including contracts, trusts, labour and employment, fiduciaries, and the Charter, all made more complicated by an overlay of statutory regulation.

Second, pension law requires a person to analyze any given issue from two very different perspectives. On the one hand, pension law issues must be understood from a broad theoretical perspective. On the other hand, no understanding will be complete or accurate without a descent into a morass of complicated, often-conflicting, detail.

Even a brief consideration of these factors explains the burning need for a single text on pension law to which one can turn for education and assistance. Until now, there has been no such text. Ari Kaplan's *Pension Law* fills the void.

Ari Kaplan has written a book that provides a framework within which to understand pension law. It is balanced and comprehensive in its treatment of the issues. But, in addition, the book explains and explores the detailed considerations that underlie each issue. An enormous amount of work has been done to locate the relevant materials and then to disseminate the information in an organized, readable fashion.

Five years ago, Ari Kaplan asked me if I would consider co-authoring a book on pension law. I was unable to accept but I urged him — forcefully! — to write the book himself. I am not surprised that it took him the better part of a decade to write but I am so glad that he persisted. This book would have provided me with invaluable assistance these past twenty years, as I explored the field of pension law from the perspective of law professor, regulator, and practitioner. As a judge, I am grateful to have it now.

Work in the pension field is challenging. My personal pleasure in writing this foreword comes from the knowledge that *Pension Law*, by Ari Kaplan, makes that challenge more manageable. I commend this book to all those who work or have an interest in pension law, lawyers and laypersons alike.

Justice Eileen E. Gillese
Court of Appeal for Ontario
Toronto, Ontario