



Moving Aboriginal Health Forward: Discarding Canada's Legal Barriers

Yvonne Boyer

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When considering health, many would not think of our legal regime as one of the determinants of health. But Boyer argues there is a clear connection between the health of individuals and the legal regime under which they live, particularly Aboriginal peoples. From the early ban on traditional practices to the constitutional division of powers (including who is responsible for off-reserve Indians under the *Constitution*), this is an historical examination of Canadian legal regimes and the impact they have had on the health of Aboriginal peoples. With an emphasis on the social determinants of health, the author outlines how commitments made by treaty and Supreme Court of Canada rulings on Aboriginal rights, the duty to consult, and the special constitutional status of Aboriginal peoples can be used to advance the health of Aboriginal peoples.

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