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In the fall of 1996, I received a call from Drew asking me to participate in a Supreme Court amicus brief on behalf of individuals' right to assisted suicide.¹ The request could not have come at a more inconvenient time. I was in the midst of commuting between teaching at New York University and completing doctoral studies at Cambridge University, and the last thing I needed was another time commitment. After two hours on the telephone, I agreed.

From an intellectual perspective I found the cause just. The amici coalition included "Prominent Americans with Disabilities"² and organizations³ that I respected, and the sister coalition of amici philosophers was led by my friend and colleague, Ronald Dworkin.⁴ More importantly, Drew—a warm, charismatic, and gracious man—was simply charming. He too, he explained, had severe time constraints. Drew and his wife, Cheryl, had recently welcomed two Russian-speaking children from a Siberian orphanage into their home. Moreover, Joe and Katerina were rambunctious, expressing their newly found freedom in an energetic manner. (During our conversation, they twice knocked over the speaker phone, and found his motorized wheelchair a source of wonder and entertainment.) Did either of the Batavias speak any Russian?⁵ No, they spoke love. Was he concerned about Florida's Social Service Administrators (they lived in Miami) discriminating against him on the basis of his disability?⁶ No, he had been more concerned about people with AK47s feeling that way, and so Cheryl had gone alone to gather the children. In any case, he told me, he loved challenges. And that, in a nutshell, was Drew: bright, intellectually curious, coalition-building, kind, charismatic, and a person who saw challenges rather than difficulties or obstacles.

Since that time, I have had the pleasure of knowing and working with Drew Batavia on a number of projects. We have collaborated on other amicus briefs,⁷ have presented papers at the same conferences,⁸ and were fortunate enough to serve as Fellows for the National Institute on Disability and Rehabilitation Research ("Switzer Fellows").⁹ It was at a May 2002 NIDRR research seminar that I last saw Drew. He

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¹ See Brief for Amici Curiae Gay Men's Health Crisis et al., *Washington v. Glucksberg*, 521 U.S. 702 (1997) (Nos. 95-1858 & 96-110).

² For instance, the historian Hugh Gregory Gallagher, and the attorney Evan Davis. *Id.*

³ Especially Lambda Legal Defense and Education Fund and Gay Men's Health Crisis. *Id.*

⁴ Brief for Amici Curiae Ronald Dworkin et al., *Glucksberg*, 521 U.S. 702. The brief was joined by, among others, Thomas Nagel, Robert Nozick, and John Rawls. *Id.*

⁵ I do, and was glad to translate a bit.

⁶ He had read a piece I had published, Michael Ashley Stein, *Mommy Has a Blue Wheelchair: Recognizing the Parental Rights of Individuals With Disabilities*, 60 BROOK. L. REV. 1069 (1994), and our discussion was grounded within that context.

⁷ E.g., Brief of Amici Curiae Autonomy, Inc. et al., *Oregon v. Ashcroft*, 192 F. Supp. 2d 1077 (D. Or. 2002) (No. CV-01-1647-JO).

⁸ For example, the National Institute on Disability Rehabilitation and Research Summer 2000 Researchers' Symposium.

⁹ Drew, in fact, served twice (in 1986 and in 2001)—another indication of how well regarded he was within the disability rights community. NAT'L CTR. FOR THE DISSEMINATION OF DISABILITY RESEARCH, NIDRR'S MARY E. SWITZER FELLOWSHIP PROGRAM ALUMNI, at <http://www.ncddr.org/relativeact/caprehabresearch/cbdw/switzer/alumni.html> (last visited Apr. 6, 2003).

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was especially proud of two forthcoming projects, his Article in this symposium,¹⁰ and his book.¹¹ He was also very excited and pleased about founding and leading AUTONOMY,¹² a libertarian-flavored disability-rights advocacy group.¹³ The latter would, he said with complete prescience and absent any irony, be a central part of his “legacy.”

As a scholar, Drew Batavia was very well regarded, both within and outside the disability community. This is especially true of Drew’s groundbreaking contributions on the important subject of equal access to basic health care for people with disabilities, a field that he brought to prominence and continued to lead for many years.¹⁴ As noted in a press release by NIDRR’s director, Steven Tingus, Drew’s work was also significant in bringing to the fore the correlation between health care coverage and the availability of employment options for people with disabilities.¹⁵ Further, his scholarship was remarkable for awakening concerns in policymakers about the way in which managed care, while increasing access to basic health services for people with disabilities, also erected barriers to specialized services, such as durable goods. These writings were instrumental in helping to foster understanding in the nondisabled community of some of the artificial barriers to people with disabilities’ living independent lives.

He will be sorely missed.

¹⁰ See Andrew I. Batavia, *Disability Rights in the Third Stage of the Independent Living Movement: Disability Community Consensus, Dissent and the Future of Disability Policy*, 14 STAN. L. & POL. REV. 347 (2003).

¹¹ ANDREW I. BATAVIA, *INDEPENDENT LIVING: A VIABLE OPTION FOR LONG-TERM CARE* (2002).

¹² For information about AUTONOMY, see its Web site, at <http://www.autonomy-now.org>.

¹³ Its formulation, too, exhibits one of Drew’s greatest strengths: coalition-building.

¹⁴ A fairly representative bibliography is available through the AUTONOMY Web site, at <http://www.autonomy-now.org/publications.htm>.

¹⁵ See Steven James Tingus, National Institute on Disability and Rehabilitation Research Press Release, at <http://www.ncddr.org/relativeact/caprehabresearch/cbdw/switzer/DrewBatavia.html> (Jan. 8, 2003).