

40 years after AIDS, remembering Dominic D'Souza, the first Indian diagnosed with HIV infection

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D'Souza's legacy as an activist far outstrips the treatment it receives in the film 'My Brother... Nikhil'.

June 2021 will mark the [40th anniversary of the discovery of AIDS](#), a sobering reality in the face of the current Covid-19 pandemic. While the [Indian variant](#) of the coronavirus continues to take its toll in a [deadly second wave](#), Goa has presently recorded [the highest rate of infections in India](#) despite being its smallest state.

This dubious distinction sits alongside another virus-related history-making association with Goa. May 27 marks the death anniversary of Dominic D'Souza from AIDS-related causes in 1992 soon after being diagnosed, in Goa, as the first person in India to have become infected with HIV.

Much of what has been written about D'Souza's diagnosis has veered towards the sensational, obscuring his life's work as an AIDS activist. Take [this newspaper account](#) from 2017 on the 25th anniversary of his death:

"On 14 February 1989, D'Souza ... was summoned [by the] ... police... [H]e was handcuffed and taken to Asilo Hospital in Mapusa, where doctors gathered around him. They didn't touch him but asked him several questions: Did he have sex with prostitutes, was he a homosexual, did he inject drugs? It was only when he saw a nurse pass by holding a file with the words 'AIDS' printed on its cover that D'Souza realized that he was HIV-positive."

If this recounting of events appears cinematic, consider that the report also highlights [a commemorative event](#) that was held in Mumbai to mark D'Souza's death anniversary, one that included the screening of the 2005 film *My Brother... Nikhil*. The gay-themed film, directed by the mononymous Onir, fictionalises the events of D'Souza's life and death as the first person in India found to be HIV-positive, yet contains no allusion to the inspiration it drew from the activist's life.

A remarkable elision

Writing in 2017 about the genesis of his film, [Onir reminisced](#):

"And how can the stigma go? Through understanding...no other way. Maybe cinema helps. As for *My Brother Nikhil* (my 2005 film on the life of D'Souza), it's more the case that the subject found me instead of the other way around. I was hosting a documentary talk show ... when I came across D'Souza's story. It was so powerful that it lingered and I couldn't shake it off. I had been working on another script, which was supposed to be my first film, but I was now consumed by the urge to make this movie."

For Onir, D'Souza was never more than someone to fictionalise in a film. Onir admitted as much in the afterword to the 2011 published version of his screenplay: "I remembered having edited some documentary material on Dominique De Souza...But I did not want to tell Dominique's story. Nikhil was born out of Dominique but ultimately became a different person."

Not only does Onir get D'Souza's name wrong here, but that name is altogether absent in the film's credits. If D'Souza's story was so inspirational to Onir, what is to be made of this remarkable elision? Ultimately, the film plays as an act of co-option through the omission of D'Souza's name for the purpose of foregrounding, essentially, a gay-themed story that is exclusive of D'Souza.

Because narrative is built upon the history of a real person, it takes the form of a biopic. But even as biopics are expected to be fictionalisations of reality, artifice exceeds the truth in Onir's retelling by never acknowledging the person the film is ostensibly about within the filmic vehicle itself.

The genre of the biopic is used in the case of *My Brother... Nikhil* to disappear the real, for its investment is not in telling D'Souza's history as something that actually happened. Rather, *My Brother... Nikhil* takes D'Souza's story and accords it other meanings – it shifts the semiotics of HIV-infection from the real-life person's struggle to the struggles of being gay and Indian. It is then only fitting that D'Souza's name is never to be seen anywhere in the film.

Undoubtedly, Onir's choice to transform D'Souza's story for the express purpose of making a statement about gay discrimination arises from the lacuna around D'Souza's sexuality – an absence the film must obscure while using his story to tell a tale about a specific kind of sexuality. D'Souza's sexuality has often been the subject of speculation, conjecture readily giving way to the assuredness of the activist's queerness.

A case in point is Benjamin Law's 2014 reportage of his conversation with Anand Grover, the lawyer who took up D'Souza's discrimination case:

"Anand had worked extensively in cases relating to homosexuality and HIV since the late 1980s, when he represented Dominic D'Souza, a gay man who was fired after being diagnosed as HIV-positive ... After D'Souza died, Anand became obsessed. Gay men approached him for representation if they were being blackmailed."

Though Grover is Law's source of information about D'Souza, Law does not say that it was the lawyer who told him of D'Souza's sexuality; this void around Law's source of information raises questions about its credibility.

For Law, it is sufficient that Grover took on cases of homosexual- and HIV-discrimination to then decide that these two requirements are synonymous and proof of D'Souza's sexuality. Law's book is titled *Gaysia: Adventures in the Queer East*, a tongue-in-cheek choice of name. An Australian of Asian origin, Law's book is an attempt to understand gay sexuality in Asia, with Law himself serving as a cultural informant between West and East. "Research" of this nature continues to demonstrate how fact and fiction dissolve into one another so glibly when it comes to the matter of D'Souza's life.

The popularisation of D'Souza's story is not solely the territory of Onir's film, as far as fictionalisations go. When a character in *The Lost Flamingoes of Bombay*, Siddharth Dhanvant Shanghvi 2009 novel, discovers he has been infected with the HIV virus, he laments to his boyfriend: "Do you know how they treat people like me? A guy in Goa was locked up in a sanatorium when they found out he had it."

Apparently calling upon the stigma attached to being HIV-positive in India, the character's allusion is an obvious reference to what happened to D'Souza. Shanghvi's novel, like Onir's film, abstracts

D'Souza's life to emotionally attach the trauma of HIV-infection to the plight of gay men. In both cases, the invisibilisation of D'Souza still relies on the notoriety of the real-life events and the plausibility of HIV-infection due to homosexuality.

That Onir chose D'Souza's story as the vehicle through which to raise awareness about the plight of middle-class gay men in India springs from the convenient linkages the director makes between what happened to D'Souza and HIV/AIDS-discrimination generally, these matters slipping into one another because of their possible association with sexuality. If for these reasons, then, it is immaterial if D'Souza was gay, for his story is meant to serve the greater good required of it by the director as self-positioned gay rights advocate.

In this vein, the film's purposeful deployment of D'Souza's story is about cleaving AIDS activism from gay rights activism, despite the relationship between the two. This is equally a historical distortion of D'Souza's own labours as an advocate for the rights of those with HIV/AIDS; his Positive People, which *My Brother... Nikhil* itself references (renaming it People Positive) is an NGO that serves anyone with the disease, regardless of sexuality.

As a figure whose struggles as India's Patient Zero, in the era of the global recognition of the AIDS crisis, were nationally known, D'Souza's life lends itself to the cinematic as being the story of an individual who courageously fought a legal battle against discrimination. It is this individuality that *My Brother... Nikhil* borrows and transforms.

In Onir's film, the political implications of the protagonist Nikhil's HIV-diagnosis develops as *My Brother... Nikhil* progresses. Prior to this, as the title itself suggests, *My Brother... Nikhil* occupies itself in presenting an intimate portrait of a brother, but also a son and lover through the personal reminiscences offered by the main character's inner circle. That this young man who loves his family and is a source of pride to them must deal with later disapprobation is what operationalises the intimacy the film develops, connecting it with the film's political agenda.

In the sharing of the personal through the narration of the film by Nikhil's intimates, *My Brother... Nikhil* offers its audience a central character who could very much be like them in his commonplace attachment to loved ones. Consequently, this expands the potential of *My Brother... Nikhil* beyond being a film only about gay issues; it is then also positioned as a film meant for more than an exclusively gay audience, even as its motivation is to champion gay rights.

That an otherwise ordinary person could face discrimination because of a health problem, makes Nikhil's struggle, in *My Brother... Nikhil*, the stuff of quotidian existence; that, like D'Souza, Nikhil decides to turn a personal struggle into an opportunity for advocacy then elevates the personal, and intimate, into the political. By conferring upon Nikhil's journey from ordinary citizen to public advocate the storyline of the genesis of HIV/AIDS in India, as well as the attendant issue of gay rights that *My Brother... Nikhil* develops by borrowing from D'Souza's AIDS-activism, the personal is not only made public but also heroic. Yet, while creating a cinematic and tragic hero in Nikhil for the cause of gay rights, D'Souza's story as an early pioneer of AIDS-activism in South Asia is cleaved from the very film it inspired.

Even though it borrows the contexts and settings of D'Souza's Goa to create itself, *My Brother... Nikhil* makes Nikhil and his family – the Kapoors – ethnically part-North Indian, so that they appear more Indian than had they been distinctly Goan. Part of how *My Brother... Nikhil* eclipses D'Souza's story is also then in its misrepresentation of his ethnic background, and the obscuring of the Catholic cultural background of his family, in order to create a cognisably Indian filmic milieu for the consumption of a Hindi-speaking national audience.

Because the Kapoors must be identifiably Indian, the fact that the D'Souzas had spent a significant amount of time in East Africa is something the film would have no room for. The D'Souzas' East African past is no anomaly given [the history of Goan travel and residence](#) in that part of the world from colonial times. Were the film to acknowledge such circuits of Goan identity as they are informed by the extra-national existences of Goans might have perhaps allowed it to gesture at shared postcolonial legacies and the [still looming crisis of AIDS in the developing world](#).

Re-centring D'Souza's Goanness may allow for a rethinking of the possibility of decolonial queer activism in South Asia, for it is precisely the far more complex reality of the figure of D'Souza, which *My Brother... Nikhil* leaves out, that may present a queer politics of affiliation un beholden to the concept of nation and nationalism.

While *My Brother... Nikhil* uses the form of the biopic to represent the HIV/AIDS-stigmatisation of gay middle-class men in an Indian setting, the film would not have been more judicious in actually being a biopic about Dominic D'Souza. The same is also true of any claim that could be made to the veracity of D'Souza's sexuality, for a film about HIV/AIDS could also be about gay identity. D'Souza's legacy continues to exist despite its misrepresentations in Onir's film, so there is little that a possibly more "authentic" biopic could offer.

Instead, the larger question to be grappled with is how the politics of advocacy, even in the representation of the marginal, can be manipulated cinematically. That cinematic representations of such nature limit the potential of AIDS-activism, and especially in how its advocates could be remembered and their legacies deployed, is worth more complex consideration for their political possibilities.

Certainly, D'Souza's legacy far outstrips the treatment it receives in Onir's film. Grover's defence of D'Souza, when he battled the discrimination he faced for being HIV positive, in turn led to the lawyer drafting an HIV/AIDS Bill that was passed in April 2017. The [Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome \(Prevention and Control\) Act, 2017](#) thus became the first national HIV law in South Asia that could potentially protect HIV-positive people against discrimination. The afterlife of D'Souza's activism therefore persists, a legacy that continues to be of importance 40 years into the challenge of HIV/AIDS.

R Benedito Ferrão is an Assistant Professor of English and Asian & Pacific Islander American Studies at William and Mary, Virginia, USA.

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