



"Judgment"

FINAL DRAFT

January 16, 2003

ENTERPRISE

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"Judgment"

40358-045

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FINAL DRAFT

JANUARY 16, 2003

ENTERPRISE:

"Judgment" -

1/16/03

SETS

ENTERPRISE

"Judgment"

SETS

INTERIORS

ENTERPRISE

BRIDGE

READY ROOM

SICKBAY

SITUATION ROOM

KLINGON TRIBUNAL CHAMBER

KLINGON HOLDING CELL

KLINGON BRIDGE

DILITHIUM MINES

EXTERIORS

SPACE/ENTERPRISE

KLINGON BATTLE CRUISER

PLANETARY RINGS

NARENDRA THREE

RURA PENTHE

ENTERPRISE: "Judgment" - 1/16/03 CAST

ENTERPRISE

"Judgment"

CAST

ARCHER

T' POL

TRIP

PHLOX

REED

MAYWEATHER

HOSHI

KOLOS

PROSECUTOR ORAK

MAGISTRATE

DURAS

FIRST OFFICER

ALIEN REFUGEE

GUARD

KLINGON VOICE

Non-Speaking

N.D. SUPERNUMERARIES

Non-Speaking

GALLERY KLINGONS

KLINGON TRIBUNAL GUARDS

KLINGON BRIDGE OFFICERS

REFUGEES

KLINGON PRISONERS

KLINGON PRISON GUARDS

ENTERPRISE

"Judgment"

PRONUNCIATION GUIDE

XENOPOLYCYTHEMIA	ZEE-no-pahl-is-ih-THEE-me-uh	*
KOLOS	KOH-lohs	
ORAK	ORE-ahk	
DURAS	DYUR-as	
TORAL	tore-AHL	
TY' GOKOR	TIE-guh-kore	
BORTAS	BORE-tas	
RAATOORAS	rah-TOOR-as	
ISOLYTIC PLASMA	eye-soh-LIT-ik	
DIAMAGNETIC DUST	DIE-uh-mag-NET-ik	
RURA PENTHE	roor-uh PEN-thay	*
BAT' LETH	BAT-leth	*
DILITHIUM	die-LITH-ee-um	*

Klingon Dialogue

Jagh! Jagh! Jagh!

[JAKH! JAKH! JAKH!]

ENTERPRISE

"Judgment"

TEASER

FADE IN:

1 INT. KLINGON TRIBUNAL CHAMBER 1

CLOSE ANGLE ON A "GAVEL": a silver orb gripped in a gloved hand. The hand brings down the orb, striking it hard against a sound block. There's a CRASH and a SPARK. REVEAL the gavel is held by...

An elderly KLINGON MAGISTRATE dressed in hooded robes. He sits on a high bench overlooking a large, dimly-lit chamber. Just above his bench hangs a flag displaying the Klingon symbol.

MAGISTRATE

Bring in the prisoner!

TWO KLINGON GUARDS lead a figure to a raised circular platform, enclosed by a rail, in the center of the chamber. The platform is starkly-lit by an overhead light source, and we can't get a clear look at the prisoner. (NOTE: The set is similar to the one in "Star Trek VI").

As the guards place the prisoner in the railed-off area, Klingons assembled in the surrounding gallery bang their staffs on the floor and CHANT in contempt: *

KLINGONS

Jagh! Jagh! Jagh!

1A HIGH ANGLE ON THE GALLERY (OPTICAL) 1A

looking down from above, we see two tiers filled with DOZENS OF KLINGONS. The prisoner stands alone in a pool of light in the center of the chamber.

1B ON THE MAGISTRATE 1B

who gavels the gallery into silence. He speaks to the shadowed prisoner.

MAGISTRATE

You stand accused of conspiring against the Klingon Empire. How do you respond?

We finally REVEAL the prisoner: it is ARCHER. Though he is in uniform, he is scuffed and ill-kempt.

(CONTINUED)

1B CONTINUED:

1B

ARCHER
I'm not guilty.

MAGISTRATE
When this tribunal convenes
tomorrow, you will be given a
chance to prove your innocence...
(then)
If you cannot, there is only one
punishment!

This pronouncement brings a ROAR OF APPROVAL from the
gallery.

OFF Archer, as he reacts to this desperate situation,
we...

FADE OUT.

END OF TEASER

ACT ONE

FADE IN:

(NOTE: Episode credits fall over opening scenes.)

2 EXT. NARENDRA THREE (OPTICAL) 2

A large city on this Klingon outpost, with familiar Klingon-style architecture. In the center of town, a GRAND TRIBUNAL BUILDING which proudly displays the three-pointed Klingon symbol.

3 INT. KLINGON CELL 3

Stark and bare, furnished with two stone "cots." The sole occupant is Archer, who holds a plate with the leg of some kind of animal on it -- clumps of fur and leathery skin still cling to it. Archer considers trying to eat it, then wisely decides against it. He sets the plate aside.

The large heavy door to the cell swings open and PHLOX ENTERS, led in by a KLINGON GUARD. Archer, surprised to see the Doctor, stands to greet him.

GUARD
(to Phlox)
You have five minutes.

*
*
*

The Guard stands watch near the open doorway.

ARCHER
(to Phlox)
Glad you could drop by.

PHLOX
How are you?

ARCHER
I've been better.

PHLOX
I wasn't sure if I'd find you
alive.

ARCHER
(dryly)
They promised me a trial before
the execution.

Over this, Phlox takes out his medical scanner and begins running it over Archer.

(CONTINUED)

3

CONTINUED:

3

ARCHER
(re: scanner, puzzled)
Something wrong?

Phlox gives Archer a pointed look.

(CONTINUED)

3 CONTINUED:

3

PHLOX

Xenopolycythemia can be highly contagious.

(a glance to the guard)

I'm surprised they haven't put you in isolation.

The Guard reacts, subtly alarmed... and he steps outside into the hallway, but continues to watch them closely through the metal mesh.

PHLOX

(to Archer)

Any residual symptoms... fever, dizziness?

Archer now realizes what Phlox is up to: he's told the Klingons that Archer is ill in order to get to see him.

ARCHER

(playing along)

Just a scratchy throat.

PHLOX

Let's have a look.

As he continues to examine Archer...

ARCHER

When did you get here?

PHLOX

Two days ago, but they refused to let us see you.

ARCHER

Enemies of the state aren't allowed visitors.

PHLOX

T'Pol was finally able to convince them that your... condition necessitated a visit from your doctor.

ARCHER

Very thoughtful of her.

PHLOX

She sends her regards... and she wanted me to assure you that Starfleet and the Vulcan High Command are doing everything possible to get you released.

*

(CONTINUED)

3 CONTINUED: (2)

3

ARCHER
Are they having any luck?

PHLOX
Not yet.
(then)
But she and Commander Tucker have
begun exploring... other options
for regaining your freedom.

Archer realizes Phlox is talking about a rescue attempt.

ARCHER
When this is over, whatever the
outcome, I'm counting on them to
get Enterprise safely out of
Klingon territory.

PHLOX
I'll let them know.

Phlox notices the Guard is watching them closely. Phlox
can't drag out his "exam" much longer.

PHLOX
How are the accommodations?

ARCHER
Not too bad.
(re: his food)
Can't say I'm a big fan of Klingon
cuisine.

Phlox notices the plate with the animal leg. He runs
his scanner over it.

PHLOX
It may not appear appetizing, but
it seems like a good source of
protein. I suggest you eat it.

Archer reacts, but before he can say anything a Klingon
ENTERS the cell:

KOLOS is older, probably in his sixties, with a grey
hair and beard. We can sense immediately that he's not
typical of the Klingons we're used to; he seems more
dignified and thoughtful. But there's also a weariness
about him. He's a veteran of the Klingon judicial
system, and we'll discover that over the past decades
he's witnessed the gradual degeneration of Klingon
society into a brutal warrior culture. This pains him
greatly... but the fire and fight have gone out of him.

KOLOS
(to Phlox, curt)
Is he infectious?

(CONTINUED)

3 CONTINUED: (3)

3

PHLOX
I don't believe so...

KOLOS
Then return to your ship.

PHLOX
(protesting)
I'd like to run some more tests.

KOLOS
(bluntly)
You're not here to treat him.

Phlox hesitates... it's difficult for him to leave Archer.

ARCHER
(to Phlox)
Thanks for the house call.

PHLOX
(encouraging)
I'm sure I'll see you soon.

Phlox turns and EXITS, leaving Archer face-to-face with Kolos.

KOLOS
I'm Kolos... your advocate.

Archer looks at the wizened Klingon standing before him... wondering what kind of defense he'll be able to muster.

ARCHER
Jonathan Archer.

Kolos clearly isn't interested in getting to know Archer. He nods toward the door.

KOLOS
The tribunal is about to begin.

He turns to go. Archer reacts, what's going on here?

ARCHER
We haven't even discussed what happened.

KOLOS
I'm familiar with the charges.

(CONTINUED)

3

CONTINUED: (4)

3

ARCHER

Well, I'm not familiar with your... justice system. What can I expect out there?

KOLOS

Now that you've been charged, the evidence against you will be presented.

ARCHER

(pressing)

When do I get a chance to testify? *

KOLOS

~~You'll remain silent.~~ I will conduct your defense.

ARCHER

(pressing)

How can you do that when you haven't heard what really happened?

KOLOS

(impatient)

I know what happened!

A tense beat. Kolos eyes him... he feels sorry for Archer, but he's reluctant to get too personally involved in the case.

KOLOS

(a little more sympathetic)

You mustn't speak during the tribunal. I'll speak for you.

Kolos heads out. OFF Archer, not encouraged... *

CUT TO:

4

INT. KLINGON TRIBUNAL CHAMBER (OPTICAL)

4

A HIGH ANGLE looking down on the chamber as Archer is led to the center platform, Kolos beside him.

4A ON ARCHER AND KOLOS (OPTICAL)

4A *

in the center of the chamber. As before, Klingons fill the gallery. They glare at Archer with hostility, and a CHANT RISES as Archer takes his place.

KLINGONS

Jagh! Jagh! Jagh!

Archer glances to Kolos.

ARCHER

What are they saying?

KOLOS

"Enemy."

ARCHER

(dry)

I hope they're not the jury.

KOLOS

(flatly)

There is no jury.

The prosecutor, ORAK, ENTERS. He is younger than Kolos, forties, and is crafty and aggressive, with a flair for the dramatic -- he knows how to play to the crowd. Upon seeing him, the Klingons in the gallery CHEER.

ARCHER

Who's that?

KOLOS

Prosecutor Orak. His success is well known.

ARCHER

What about you? What's your success rate?

Archer's question has caught Kolos off-guard. Kolos is here to play his role, not to actually win cases.

KOLOS

I've... performed my duty.

The Klingons in the gallery fall silent as the Magistrate ENTERS and takes his seat on the high bench. He bangs his gavel with a CRASH and a SPARK.

MAGISTRATE

This tribunal is convened!
Strength to the Empire!

(MORE)

(CONTINUED)

4A CONTINUED:

4A

MAGISTRATE (cont'd)

(beat)

Prosecutor Orak, you may proceed.

Orak bows respectfully to the Magistrate, then...

PROSECUTOR ORAK

I call Duras, son of Toral.

DURAS, a classic Klingon warrior, fierce and stoic, steps forward. He bows to the Magistrate, then turns to face Archer.

PROSECUTOR ORAK

(to Duras)

Captain Duras, tell the tribunal about your encounter with the accused --

DURAS

(interrupting)

I'm no longer a captain.

PROSECUTOR ORAK

Explain.

DURAS

I am a second weapons officer, serving on the Ty'Gokor defense perimeter.

PROSECUTOR ORAK

(playing confused)

The Duras I called to testify is commander of the Battle Cruiser Bortas.

DURAS

I was... recently reduced in rank.

Duras is humiliated by this information, and Orak knows it. He is exposing this man's shame to make his point.

PROSECUTOR ORAK

(with mock pity)

A distinguished Klingon warrior, stripped of his command?

Orak turns and plays to the gallery.

PROSECUTOR ORAK

Did the accused have anything to do with your... disgrace?

Duras gives Archer a hard look.

(CONTINUED)

4A CONTINUED: (2)

4A

DURAS

Yes.

PROSECUTOR ORAK

Go on...
(slightly mocking)
Weapons Officer Duras.

DURAS

(a beat)

A group of rebels had fled the
Klingon protectorate of Raatooras.
I was commanded to bring these
traitors to justice.

(beat)

We'd followed their warp trail to a
system just outside Klingon
territory...

OFF Duras, we...

CUT TO:

5 OMITTED

5

6 INT. KLINGON BRIDGE - FLASHBACK (OPTICAL)

6

ANGLE ON DURAS sitting in the captain's chair on his
ship, the Klingon Battle Cruiser "Bortas." His FEMALE
FIRST OFFICER mans her station, along with THREE KLINGON
BRIDGE OFFICERS.

FIRST OFFICER

(off her console)

They're near the fifth planet.

(then)

There's another vessel docked with
them.

DURAS

Show me.

ANGLE ON THE VIEWSCREEN: we see a battered TRANSPORT
SHIP. Docked with it, twice its size, is ENTERPRISE.
In the background is a PLANET WITH A PROMINENT RING
SYSTEM.

Duras is intrigued by the sight of Enterprise.

DURAS

What kind of ship is that?

FIRST OFFICER

Unknown... but they've taken the
rebels aboard.

(CONTINUED)

6

CONTINUED:

6

DURAS

Armaments?

FIRST OFFICER

(off console)

Torpedo launchers... fore and aft.

Low-yield particle cannons.

(confident)

We can defeat them easily.

DURAS

Intercept!

But before the First Officer can comply, her console BEEPS. She works a control.

FIRST OFFICER

They're signalling us. *

DURAS

Viewer!

ON THE VIEWSCREEN the image of the two ships is replaced by Archer on the Bridge of Enterprise.

(NOTE: This flashback is from Duras' point of view. Although the gist of his exchange with Archer is basically the same as Archer's version, Archer seems to be acting uncharacteristically hostile here.)

DURAS

Identify yourself!

ARCHER

(an edge)

Captain Archer of the Battle
Cruiser Enterprise.

DURAS

The people aboard your ship are
wanted for treason. Surrender
them immediately!

ARCHER

By whose authority?

DURAS

The Chancellor of the Klingon High
Council.

ARCHER

(aggressive)

I don't know your Chancellor, and
I don't give a damn what he
wants.

(MORE)

(CONTINUED)

6 CONTINUED: (2) 6

ARCHER (cont'd)
I've formed an alliance with these
people... and I'm going to support
their revolt!

DURAS
(back at him)
Give them to me now, or I'll
destroy your vessel!

ARCHER
(challenging)
Fire one shot, and you'll be
joining your ancestors in the
afterlife!

CUT TO:

7 INT. KLINGON TRIBUNAL CHAMBER - BACK TO PRESENT 7

As before, Duras testifying. Orak turns to him.

PROSECUTOR ORAK
He refused to surrender the
rebels?

DURAS
Yes!

8 ANGLE ON ARCHER 8

who leans into Kolos.

ARCHER
I didn't say any of those
things...

Kolos remains silent.

ARCHER
(pressing)
Can't you object?

KOLOS
It's not important.

Archer reacts, frustrated.

9 ANGLE ON DURAS AND ORAK 9

PROSECUTOR ORAK
(to Duras)
And how did you respond to
Archer's defiance?

(CONTINUED)

9 CONTINUED:

9

DURAS

I pitied him. He was about to die
defending these wretched
traitors...

Archer can't hold back any longer.

ARCHER

They weren't traitors!

The Magistrate bangs his gavel. SPARK!

MAGISTRATE

(to Kolos, admonishing)
Advocate! Haven't you informed
the prisoner of the rules of this
tribunal?

KOLOS

My apologies, Magistrate.
(to Archer)
Be silent or you'll be removed.

Archer realizes he has no choice.

PROSECUTOR ORAK

(to Duras)
Continue.

DURAS

(re: Archer, bitter)
I showed him more patience than he
deserved, but he obviously wanted
blood to be spilled...

10 INT. KLINGON BRIDGE - FLASHBACK (OPTICAL)

10

ON THE VIEWSCREEN, Archer as before.

DURAS

(to Archer)
Don't be a fool! Your ship is
inferior... you won't survive a
battle with us!

ARCHER

(defiant)
Death to the Empire!

Archer BLINKS OFF the viewscreen, replaced by a view of
Enterprise and the transport ship. In this version of
events, Enterprise FIRES the first shot, a PHASE-CANNON
BLAST that ROCKS the Klingon Bridge!

(CONTINUED)

10 CONTINUED: 10

DURAS
Return fire!

11 EXT. SPACE - KLINGON BATTLE CRUISER (OPTICAL) 11

as it FIRES its DISRUPTORS! Enterprise is HIT, then returns fire with another PHASE-CANNON BLAST!

11A NEW ANGLE (OPTICAL) 11A

as Enterprise UNDOCKS from the transport ship and PULLS AWAY, going to high impulse!

12 INT. KLINGON BRIDGE 12

As before.

FIRST OFFICER
They're heading for the ring system.

DURAS
(contemptuous)
The coward thinks he can hide... pursue them!

CUT TO:

13 EXT. SPACE - KLINGON BATTLE CRUISER (OPTICAL) 13

as it follows Enterprise into the PLANETARY RINGS, which are comprised of dense, murky streams of PLASMA, DUST and ROCKY DEBRIS. The Klingon ship FIRES its disruptors!

13A ANGLE - ENTERPRISE (OPTICAL) 13A

which is navigating through the DEBRIS! The disruptor fire BLASTS APART a large chunk of rock, narrowly missing Enterprise!

14 INT. KLINGON BRIDGE (OPTICAL) 14

Duras is watching the viewscreen, which shows the dense debris field moving past. Enterprise is nowhere in sight.

DURAS
Where are they?

(CONTINUED)

14 CONTINUED: 14

The First Officer keeps working, uncertain.

DURAS
(impatient)
Answer me!

FIRST OFFICER
(off console)
The debris's interfering with
sensors...

A long, tense beat as Duras eyes the viewscreen with intent... then he sees something:

DURAS
There!

On the viewscreen, we see the tail-end of an Enterprise nacelle just visible behind a HUGE MASS of ROCK.

DURAS
Target their engines... all
weapons! *

Another tense beat goes by as they approach the large rock on the viewscreen. Closer... closer...

15 EXT. SPACE - PLANETARY RINGS (OPTICAL) 15

ANGLE ON Enterprise holding position behind the massive rock. It FIRES a single TORPEDO, which STREAKS around the rock and toward the Klingon ship!

16 INT. KLINGON BRIDGE (OPTICAL) 16

On the viewscreen, the Enterprise torpedo can be seen heading directly toward them. A beat as the torpedo approaches... then it DETONATES before it reaches the Klingon ship!

16A EXT. SPACE - PLANETARY RINGS (OPTICAL) 16A

As the torpedo EXPLODES, it IGNITES the murky streams of plasma, creating a turbulent BLASTWAVE that expands outward in all directions!

16B ANGLE - THE KLINGON SHIP (OPTICAL) 16B
is violently ROCKED by the explosion!

16C INT. KLINGON BRIDGE (OPTICAL) 16C
SHAKING HARD! Lights flicker! SPARKS all around!
Everyone hangs on! The viewscreen has gone to STATIC.

FIRST OFFICER
(off console)
We've lost sensors! Shields are
down!

DURAS
(quickly)
Manual targeting!
(beat)
Fire!!

17 EXT. SPACE - PLANETARY RINGS (OPTICAL) 17
The plasma is now dissipating, and Enterprise is
SWOOPING PAST the Klingon ship, FIRING PHASE-CANNONS and
TORPEDOES in a violent BARRAGE! BOOM! One of the *
Klingon NACELLES is HIT!

18 INT. KLINGON BRIDGE 18
Another SHAKE!

FIRST OFFICER
(working)
They're leaving orbit!

DURAS
Follow them!

FIRST OFFICER
Our engines are down!

As Duras SLAMS a console in frustration...

CUT TO:

19 INT. KLINGON TRIBUNAL CHAMBER (OPTICAL) 19
ON DURAS, still just as frustrated.

(CONTINUED)

19 CONTINUED:

19

DURAS

...it took three hours to repair
our warp drive.

PROSECUTOR ORAK

But, of course, by then they were
gone.

(a touch of contempt)

You're fortunate your First
Officer didn't kill you for such a
failure. You're dismissed.

Duras moves off to the side of the chamber, throwing an
angry look to Archer. Archer leans in to Kolos.

ARCHER

(sotto)

You're not going to question him?

KOLOS

(sotto)

He'd say nothing that would help
you.

MAGISTRATE

(to Orak)

Do you have further evidence to
present?

PROSECUTOR ORAK

No, Magistrate. Duras' testimony
is clear. He attempted to carry
out his mission... to bring
enemies of the Empire to justice.

He steps toward Archer.

PROSECUTOR ORAK

But this... aggressor...

(with contempt)

...this "human"... conspired with
them to disgrace a proud warrior
and foment rebellion! There can
be no doubt -- he is our enemy, as
well!

The gallery CHEERS and bangs their staffs in agreement!

PROSECUTOR ORAK

(relishing the moment,
playing to the crowd)

Captain Archer claims that he's
innocent... innocent of what?

Another round of CHEERS!

(CONTINUED)

19 CONTINUED: (2)

19

PROSECUTOR ORAK

This tribunal has already been far too lenient! We haven't accused his crew... or his government! He's fortunate we didn't dispatch a fleet of warships to his home world!

(then)

But we do demand that he be held responsible for the crimes he's committed! We demand that he receive the most severe punishment our laws decree!

(with gusto)

Jagh! Jagh! Jagh!

The crowd chimes in, frenzied:

KLINGONS

Jagh! Jagh! Jagh!

The magistrate strikes his gavel, and the crowd quiets down.

MAGISTRATE

(to Kolos)

Do you have a response?

KOLOS

No, Magistrate.

MAGISTRATE

Then I will consider the evidence, and deliver my verdict once I've --

ARCHER

(interrupting)

I'd like a chance to defend myself.

MAGISTRATE

(to Archer)

You've been warned.

ARCHER

(re: Duras)

He's distorting the truth.

MAGISTRATE

Be silent!

ARCHER

(pressing)

Those people weren't rebels... and I wasn't trying to start a rebellion.

(MORE)

(CONTINUED)

19 CONTINUED: (3)

19

ARCHER (cont'd)

(beat)

I'm not your enemy!

Over this, two GUARDS move toward Archer and JAB him with PAIN STICKS! Archer drops to his knees in pain! The guards move to jab him again, but Kolos steps forward to stop them.

MAGISTRATE

This tribunal is in recess!

He strikes his gavel! OFF Archer, struggling to his feet...

FADE OUT.

END OF ACT ONE

ACT TWO

FADE IN:

20 INT. KLINGON HOLDING CELL

20

An hour or so has passed. Archer sits on one of the stone cots, still a bit stiff from the jabs of the pain sticks. He's finally gotten hungry enough to try the animal leg seen earlier... he tears off a small chunk of the leathery meat and takes a bite... reacts to the unpleasant taste...

Ka-klank! The cell door opens and the Guard lets Kolos in. Archer and Kolos exchange a tense look.

ARCHER
(re: animal leg)
What is this?

KOLOS
Targ.

ARCHER
It's a little underdone.

Archer sets it aside. After a beat:

KOLOS
I told you to remain silent... you should've listened to me.

ARCHER
Sorry I interfered with your... legal strategy.

KOLOS
My "strategy" may yet spare your life.
(then)
I've spoken with the Magistrate. He's willing to show you mercy if you cooperate.

ARCHER
How?

KOLOS
Tell him where to find the rebels.

ARCHER
I told you, they're not rebels...

KOLOS
(temper flaring)
It doesn't matter what you believe!

(MORE)

(CONTINUED)

20

CONTINUED:

20

KOLOS (cont'd)
They're subject to the laws of the
Empire. Nothing you can say will
change that!

ARCHER
I haven't been able to "say"
anything!

KOLOS
(pressing)
Where did you take them? Another
ship... a planet?

Archer is silent.

KOLOS
Do you understand what will happen
if you don't tell them?

ARCHER
I've got a pretty good idea.

KOLOS
I'm offering you a way to save
your life!

ARCHER
Let's say I did cooperate... what
would happen to these people?

KOLOS
(after a beat)
They'd be charged with treason.

ARCHER
And end up in a court like this
one?

Kolos doesn't answer, but it's clear that they would.

ARCHER
Tell the Magistrate I'm going to
pass on his offer.

KOLOS
(frustrated)
Only a fool would sacrifice
himself for people he barely
knows!

ARCHER
I know them well enough... they're
good people... and I won't turn
them over.
(pointed)
If you'd let me testify... tell my
side of the story... it might
become clear why I helped them.

(MORE)

(CONTINUED)

20 CONTINUED: (2)

20

ARCHER (cont'd)

But from what I've seen, you're all perfectly happy to ignore what you don't want to hear!

This touches a nerve in Kolos...

*

KOLOS

You shouldn't be so quick to accuse me of sharing their... interpretation of the law.

ARCHER

Yeah? And what's your interpretation?

KOLOS

I became an advocate many years ago... they were different times...

ARCHER

Better or worse?

KOLOS

(carefully)

The courts were more willing to... listen.

ARCHER

Then maybe you should remind them of those "different times." Nothing like a good history lesson.

KOLOS

I'm an old man... too old to challenge the rules.

ARCHER

Even if your client's life depends on it?

(pressing him)

I get the feeling you're just as frustrated as I am... that you want to stand up to them, but you've given up... you're afraid of them!

*
*
*
*
*
*

KOLOS

I am not afraid!

*
*

ARCHER

Then prove it! Challenge them! Show them what a real trial is like!

*
*
*
*

(CONTINUED)

20 CONTINUED: (3) 20

OFF Kolos, his reaction tells very little... *

CUT TO: *

21 INT. KLINGON TRIBUNAL CHAMBER (OPTICAL) 21 *

A short time later. Archer, shackled once again, has been placed back on the center platform. Duras and Orak stand by as the Magistrate takes his place on the bench. He BANGS his gavel. *

MAGISTRATE
Strength to the Empire!

The Magistrate looks to Kolos.

MAGISTRATE
Have you informed the accused of our offer?

KOLOS
(a beat)
I have.

MAGISTRATE
And does he wish to address this tribunal?

Kolos glances at Archer.

KOLOS
He does.
(then, pointed)
He wishes to testify in his own defense.

A MURMUR RUMBLES through the Klingons in the gallery above. Orak turns to the Magistrate.

PROSECUTOR ORAK
I object! The time for testimony is over!

(CONTINUED)

21 CONTINUED: (2)

21

KOLOS

With respect, Magistrate... no
verdict has been reached.

PROSECUTOR ORAK

Irrelevant! I urge you to end
these proceedings!

KOLOS

(protesting)
I'm within my rights to present
further testimony!

PROSECUTOR ORAK

You're speaking of archaic rights!

Kolos draws himself up and approaches the bench. Archer
watches as we see a bit of the old fire glimmering in
Kolos' eyes.

KOLOS

Surely, I don't need to remind the
Magistrate... the judicial charter
of Koloth states that an Advocate
is entitled to challenge the
charges at any point during the
tribunal!

Kolos is gaining a bit of momentum. Now it's his turn
to play to the crowd.

KOLOS

To my knowledge, that charter has
not been cast aside.
(voice rising)
From the time of Kahless, our
courts have stood as a forum where
justice is dispensed with honor.
(intense)
Now will my case be heard or will
it not!?

The Magistrate glares at Kolos, outraged to be
challenged in his own courtroom. You could hear a pin
drop in the chamber. Then...

MAGISTRATE

Call your witness.

At this, the galley ERUPTS! The assembled Klingons leap
to their feet, banging their staffs and SHOUTING in
outrage. The Magistrate brings his gavel down with a
CRASH... once, twice. Finally, the gallery settles.

Kolos approaches Archer. They exchange a look, Archer
impressed with Kolos' change of heart.

(CONTINUED)

21 CONTINUED: (3)

21

KOLOS
(to Archer)
Identify yourself.

ARCHER
Captain Jonathan Archer of the
Earth starship Enterprise.

Orak jumps in, trying to regain control of the trial.

PROSECUTOR ORAK
Do you admit, Captain Archer, that
you gave aid and comfort to a
vessel fleeing the Empire?

ARCHER
We answered a distress call. They
were starving... their life
support was failing... *

PROSECUTOR ORAK
Their health isn't at issue here.
You helped them escape! *

KOLOS
(overlapping, to
Magistrate)
Will my witness be allowed to
testify or not? *

The Magistrate looks at Orak.

MAGISTRATE
Prosecutor, you will show the
Advocate the same respect he has
shown you.

Orak reacts, frustrated, but remains silent.

MAGISTRATE
(to Kolos)
Continue.

Kolos nods respectfully to the Magistrate and turns back
to Archer.

KOLOS
Recount for the tribunal your
version of the events.

(CONTINUED)

21 CONTINUED: (4) 21

Archer takes a breath.

ARCHER
As I said, we received a distress
call...

CUT TO:

22-23 OMITTED 22-23

23A INT. BRIDGE - FLASHBACK (OPTICAL) 23A

Archer is in the Captain's chair. T'POL, REED, HOSHI
and MAYWEATHER are at their stations. Their attention
is on:

THE MAIN VIEWSCREEN, where we see a small, battered
ALIEN CARGO SHIP listing in space. (NOTE: This is the
same vessel seen in Duras' flashback.)

ARCHER
(to T'Pol)
Bio-signs?

T'POL
(off her console)
Twenty-seven.

Archer looks to Hoshi.

ARCHER
Any response?

HOSHI
No, sir.

ARCHER
(to Reed)
Malcolm?

Reed looks over his console.

REED
Main propulsion's off-line, life
support is failing...
(looking up)
They're in a bad way, sir.

(CONTINUED)

23A CONTINUED:

23A

ARCHER
(to Mayweather)
Can we dock with them?

MAYWEATHER
Their port engine is venting
reactor coolant. I can try to
come in on the starboard side, but
it'll be tricky...

A beat, then:

ARCHER
(to Mayweather)
Do your best.

As Mayweather works...

CUT TO:

23B INT. SICKBAY - FLASHBACK

23B

Archer and Phlox stand over the central bio-bed, where
an ALIEN REFUGEE lies. He's thin, almost emaciated and
his clothes are grimy and ragged -- evidence of harsh
treatment and a torturous voyage.

In the background, two Enterprise MEDICAL TECHNICIANS
can be seen tending to four bedraggled REFUGEES. Mid-
scene:

ALIEN REFUGEE
(ragged)
Our warp drive failed three weeks
after we left... we tried to set a
course for the nearest system at
impulse... but main power went
down...

ARCHER
How long ago was that?

ALIEN REFUGEE
I don't know... six weeks, maybe
more...?
(then)
We diverted auxiliary power to
life support, but it wasn't
enough... the food processors
failed, water recyclers...

(CONTINUED)

23B CONTINUED:

23B

PHLOX

(low, to Archer)

I've put them all on protein supplements, but two of them are in serious condition. *

ALIEN REFUGEE

When we left... there were fifty-four aboard.

ARCHER

What brought you out here? *

The Refugee hesitates, unsure of whether he should continue...

ALIEN REFUGEE

Several years ago our colony was... annexed by a species we'd never seen before. They said they'd provide for us in exchange for our allegiance... that we'd become part of their "Empire."

Archer and Phlox exchange a look, "Empire"?

ALIEN REFUGEE

(continuing)

But they stripped us of our resources... left us with nothing... we waited for them to return... they said they'd bring food, fuel...

(then)

They never came back.

CUT TO:

23C INT. KLINGON TRIBUNAL CHAMBER (OPTICAL)

23C *

We're back to the present. Archer testifies from the center platform. Kolos steps forward, reacting to the last piece of Archer's testimony.

(CONTINUED)

23C CONTINUED:

23C

He wisely tries to head off the prosecution's argument by bringing it up himself.

KOLOS

You knew they were fleeing the Empire?

ARCHER

We knew their colony had been abandoned. *

KOLOS

And you chose to show them compassion?

ARCHER

They were starving. They wouldn't have lasted another week --

PROSECUTOR ORAK

(cutting in)

They were subjects of the Empire. Their welfare was not your concern.

ARCHER

(pointed)

Apparently, it wasn't yours, either.

There is a HOSTILE reaction from the gallery. Orak quickly picks up on it. He plays to the gallery...

PROSECUTOR ORAK

You see the contempt these humans have for us? He still believes he's done nothing wrong!

KOLOS

And Prosecutor Orak has yet to prove that he has.

(CONTINUED)

23C CONTINUED: (2)

23C

PROSECUTOR ORAK

He aided these rebels and now he
refuses to help us bring them to
justice!

This brings the gallery to its feet. The Klingons pound
their staffs and chant:

KLINGONS

Jagh! Jagh! Jagh!

The Magistrate bangs his gavel and the gallery settles.

MAGISTRATE

(a beat)
I will hear what the accused has
to say.

Kolos nods to the Magistrate and turns back to Archer...

KOLOS

Continue.

ARCHER

My Chief Engineer determined their
vessel was beyond repair...

CUT TO:

24 INT. READY ROOM - FLASHBACK

24

Archer and T'Pol discuss the situation, mid-scene:

ARCHER

Some of the crew'll have to double
up, but I think we can accommodate
all of them.

T'POL

I've already given the order.

Archer gives her a look, "Oh really?"

T'POL

(lightly)
Considering the alternative was to
set them adrift... I anticipated
your decision.

(CONTINUED)

24 CONTINUED:

24

Archer nods, amused.

T'POL

Where do you plan to take them?

ARCHER

They were heading for a system a few light years from here. That should keep them safe from the Klingons.

T'POL

Empires tend to expand. They may eventually discover they haven't traveled far enough.

*
*

Before Archer can respond:

REED'S COM VOICE

(urgent)

Captain... please report to the Bridge.

CUT TO:

24A INT. BRIDGE - FLASHBACK (OPTICAL)

24A

Archer and T'Pol ENTER from the Ready Room. Reed, Hoshi and Mayweather are at their stations.

(CONTINUED)

24A CONTINUED:

24A

On the VIEWSCREEN: A KLINGON BATTLE CRUISER.

ARCHER
(eyes Viewscreen)
Looks like they didn't abandon the
colonists after all.

REED
Perhaps they're bringing the
supplies they promised.

T'POL
It's a D-5 Battle Cruiser. I
doubt it's bringing supplies. *

Archer considers.

ARCHER
How long before they get here?

REED
Seventeen minutes.

ARCHER
Are all the refugees aboard?

Reed checks his console.

REED
Yes, sir.

ARCHER
Cut their ship loose and go to
Tactical Alert.

Reed works his console and the Bridge goes to TACTICAL
ALERT. OFF the tense beat...

CUT TO:

25 INT. KLINGON TRIBUNAL CHAMBER - PRESENT (OPTICAL) 25 *

Prosecutor Orak reacts to the testimony Archer has just
given.

PROSECUTOR ORAK
(accusatory)
So, you were preparing for battle! *

(CONTINUED)

25 CONTINUED:

25

ARCHER

I was "preparing" to defend my ship...

KOLOS

As any Klingon commander would.

But Orak isn't listening. He plays to the Magistrate and the gallery.

PROSECUTOR ORAK

The accused has admitted that he knew the rebels were subjects of the Empire --

ARCHER

(interjecting)

They may have been subjects of the Empire... but it sure as hell looked like you had abandoned them!

PROSECUTOR ORAK

(ignoring Archer)

-- and he knew the Bortas was coming to retrieve them! Yet he launched a deliberate attack against an Imperial vessel! This human is guilty of more than inciting rebellion. He has committed an act of war!

The gallery leaps to its feet, pounding their staffs and ROARING THEIR APPROVAL. OFF the moment...

FADE OUT.

END OF ACT TWO

ACT THREE

FADE IN:

25A INT. SITUATION ROOM - FLASHBACK (VPB) 25A *

Archer, TRIP, Reed, T'Pol and Mayweather are gathered around the WALL MONITOR, which displays a SCHEMATIC OF THE D-5 BATTLE CRUISER. Mid-scene, urgent: *

TRIP
(dryly)
I don't suppose there's any chance
of outrunning them?

T'POL
Their maximum speed is warp six. *

MAYWEATHER
If we could disable their
engines...

REED
(off schematic)
Sustained fire from our phase-
cannons might be able to penetrate
their armor...
(then)
But I doubt they'd sit still long
enough to give us the chance.

Archer thinks for a beat, then taps a control. The
MONITOR SHIFTS to a view of the RINGED PLANET.

ARCHER
(to T'Pol)
What's the composition of those
rings?

T'POL
Nothing unusual... methane ice,
isolytic plasma, diamagnetic
dust...

Archer looks to Reed, the wheels now turning in his
mind.

ARCHER
When we pulled that Klingon ship
out of the gas giant... did you
get a look at their sensor array?

(CONTINUED)

25A CONTINUED:

25A

REED

Pretty standard multi-spectral sensors... not too different from ours.

ARCHER

(off monitor)

If we could ignite the plasma in those rings... would it disrupt their sensors?

REED

For a few seconds...

ARCHER

A few seconds'll have to do. Can you modify a torpedo?

REED

I believe so.

ARCHER

How long?

REED

(dryly)

How long do I have?

T'POL

The Klingon ship will be here in less than eleven minutes.

ARCHER

(to Reed and Trip)

Get moving.

As they head for the Turbolift...

CUT TO:

26 INT. KLINGON TRIBUNAL CHAMBER

26

Archer is on the central platform, continuing his testimony. Prosecutor Orak challenges him:

PROSECUTOR ORAK

So, you laid a trap for the Bortas?!

ARCHER

We had no intention of firing first.

(CONTINUED)

26 CONTINUED: 26

PROSECUTOR ORAK
(sarcastic)
Such a noble human!

*

KOLOS
(to Magistrate, annoyed)
I was assured the accused would be
allowed to speak... without
interruption.

Orak nods, acknowledging the jab.

PROSECUTOR ORAK
By all means.
(a look to Archer)
I find his version of events
extremely entertaining.

ARCHER
The Bortos dropped out of warp
with their weapons charged...

CUT TO:

27-30 OMITTED 27-30

31 INT. BRIDGE - FLASHBACK (OPTICAL) 31

Archer is in the Captain's chair, T'Pol, Mayweather,
Hoshi and N.D.s at their stations.

MAYWEATHER
(to Archer)
They're on an intercept course...
two hundred thousand kilometers
and closing.

During this, Reed ENTERS from the Turbolift and heads to
his station. Archer gives him a look and Reed nods...
they're ready.

ARCHER
(to Hoshi)
Hail them.

(CONTINUED)

31 CONTINUED:

31

Hoshi works her console and Captain Duras APPEARS ON THE VIEWSCREEN, seated on the bridge of his ship.

(NOTE: This is now told from Archer's point of view, and their interaction will differ from Duras' testimony: Archer is trying his best to be diplomatic and Duras is extremely aggressive.)

DURAS
Identify yourself!

ARCHER
I'm Jonathan Archer, Captain of the starship Enterprise.

DURAS
You're harboring fugitives! Surrender them!

ARCHER
I wasn't aware they'd committed any crime.

DURAS
They're wanted for inciting rebellion!

ARCHER
From what I could tell, they were in no condition to incite anything. Apparently, their colony was abandoned by the --

DURAS
(cutting him off)
Turn over the rebels! Now!

ARCHER
What do you intend to do with them?

DURAS
That's none of your concern!

ARCHER
(trying to defuse the situation)
I'm sorry... but I'm not prepared to hand them over without a little more information. If I could speak with someone in your government --

DURAS
(impatient)
I speak for the Empire!

(CONTINUED)

31 CONTINUED: (2) 31

ARCHER
Fair enough. Let's sit down and
try to --

Duras BLINKS OFF the Viewscreen, replaced by a view of
the BATTLE CRUISER. The Klingon ship FIRES disruptors,
and the Bridge is ROCKED!

32 EXT. SPACE - KLINGON BATTLE CRUISER (OPTICAL) 32

Enterprise RETURNS FIRE with a PHASE-CANNON BLAST!

33 INT. BRIDGE (OPTICAL) 33

As before.

REED
Hull plating at eighty-percent...
no damage to the Klingon ship.

ARCHER
(to Mayweather)
Head into the rings.

As Mayweather works the helm...

T'POL
(off her station)
They're pursuing.

ON THE VIEWSCREEN: We see Enterprise is entering the
ring system -- LARGE CHUNKS OF DEBRIS and murky TENDRILS
OF DUST AND PLASMA move past.

Archer stands at Mayweather's shoulder as Mayweather
intently works the helm. A long, anxious moment as we
navigate the debris. The Bridge SHAKES AGAIN...

(CONTINUED)

33 CONTINUED: 33

T'Pol peers into her viewer.

T'POL
We're approaching a large
fragment... six hundred meters in
diameter. Bearing two-two-seven,
mark four.

ARCHER
(to Mayweather)
Put us behind it.

*

As Mayweather works the helm...

34-35 OMITTED 34-35

36 EXT. SPACE - PLANETARY RINGS (OPTICAL) 36

Enterprise moves into position behind the huge rocky
mass (as seen in Act Two).

37 INT. BRIDGE 37

A tense beat as the Bridge crew waits...

REED
(off his console)
They're closing, sir... four
thousand meters...

*

ARCHER
Stand by...

REED
Three thousand meters... two
thousand...

The tension mounts as Reed tracks the approaching ship.

(CONTINUED)

37 CONTINUED: 37

REED
Eight hundred meters!

ARCHER
Fire.

38-39 OMITTED 38-39

40 EXT. SPACE - PLANETARY RINGS (OPTICAL) 40

The Enterprise torpedo flies around the rock fragment and into the rings. BOOM! It EXPLODES, IGNITING a STREAM OF PLASMA!

41 INT. BRIDGE 41

The Bridge crew tensely monitors their stations.

REED
(off his console)
Our sensors are down...

ARCHER
Let's hope theirs are, too.
(to Mayweather)
Get us out of here.

As Mayweather works...

CUT TO:

42-43 OMITTED 42-43

44 INT. KLINGON TRIBUNAL CHAMBER (OPTICAL) 44 *

Archer finishes his testimony. Kolos steps forward...

KOLOS
You say the Bortas fired first?

ARCHER
Yes.

KOLOS
And you tried to reach an accommodation with Captain Duras?

ARCHER
He refused.

*
*
*

(CONTINUED)

44 CONTINUED:

44

PROSECUTOR ORAK
(cutting in)
Duras was under no obligation to *
"accommodate" this human!

KOLOS
(overlapping, to Archer)
So, you were simply defending your *
ship when you attacked the Bortas?

ARCHER
Yes.

KOLOS
And what happened then? *

ARCHER
We left the system and took the *
refugees with us.

KOLOS
You could have destroyed the *
Bortas... why didn't you? *

ARCHER
Because Captain Duras is not my
enemy.

Kolos pauses as he lets Archer's words sink in.

KOLOS
Not your enemy...
(then)
I submit to this Tribunal that
Captain Archer is guilty...

The gallery reacts, a MURMUR running through the
assembled Klingons.

KOLOS
(continuing)
Guilty of meddling in Klingon
affairs on more than one occasion.

Kolos turns and plays to the Magistrate and the gallery.
He prowls the chamber, growing more impassioned as he
makes his closing argument.

KOLOS
In fact, I discovered that his *
name is well known to the High
Council.

(MORE)

(CONTINUED)

44 CONTINUED: (2)

44

KOLOS (cont'd)

The accused once stood before the Chancellor himself, and exposed a Suliban plot that would have thrown the Empire into civil war.

*

PROSECUTOR ORAK

That is absurd --

KOLOS

The facts are on record! Perhaps the Prosecutor has grown complacent with his research.

*

Orak glowers.

*

KOLOS

(continuing)

The records of the Imperial Fleet also mention this man. His ship was instrumental in the rescue of the Klingon Raptor "Somraw" from the dense atmosphere of a gas giant.

*

*

PROSECUTOR ORAK

(dismissive)

Even if this is true, it has nothing to do with this case --

KOLOS

It has everything to do with this case! It shows a pattern in Archer's behavior that was repeated in his encounter with Captain Duras.

*

*

(voice rising)

He may be self-righteous, but his "meddling" has saved a Klingon ship and perhaps the fate of the Empire itself!

*

*

*

*

(CONTINUED)

44 CONTINUED: (3) 44

The gallery is silent, listening. *

KOLOS

If I had a word of advice to give
Captain Archer, it would be to
keep out of our affairs... *

(then)

If he is guilty, he's guilty of
nothing more than being a
nuisance... hardly worth the
attention of this tribunal. And
if he must be punished, let the
punishment fit that crime. *

Kolos bows respectfully toward the Magistrate. OFF the
moment... *

CUT TO:

45 INT. KLINGON HOLDING CELL 45

A short time later. Archer and Kolos sit side-by-side
on one of the stone cots. For a moment, neither one of
them speaks. Then...

ARCHER

How long should it take for a
verdict? *

KOLOS

It usually doesn't take long at
all... *

(dryly)

I must have been more persuasive
than I thought. *

After a beat: *

ARCHER

Thank you for what you've done for
me. *

KOLOS

Don't thank me yet. The odds are
still very much against us. *

Over this, Kolos pulls a weathered animal-skin from his
cloak. He offers it to Archer. *

(CONTINUED)

45 CONTINUED:

45

ARCHER
What is it?

KOLOS
Blood-wine. It should help make
the wait more pleasant. *

Archer takes the skin and removes the top. He takes a slug... and nearly chokes.

ARCHER
(a beat, gasping)
What's it the blood of?

Kolos reacts, amused. He takes the skin and takes a healthy slug himself.

KOLOS
Don't feel badly if you can't
stomach it...

Archer takes the skin back and takes another hit.

ARCHER
I didn't say that...

They sit for another beat, then...

ARCHER
How many cases have you won?

KOLOS
I'm not sure... over two hundred.

Archer reacts, impressed.

KOLOS
But that was a long time ago...
when the tribunal was a forum for
the truth, not a tool of the
warrior class. *

ARCHER
(lightly)
There are other classes?

Kolos shoots him a look.

KOLOS
You didn't believe all Klingons
were soldiers?

ARCHER
I guess I did. *

(CONTINUED)

45 CONTINUED: (2)

45

Kolos nods sadly.

KOLOS

My father was a teacher... my mother a biologist at the University. They encouraged me to take up the law...

(a beat)

Now, all young people want is to take up weapons as soon as they can hold them... they're told there's "honor" in victory... any victory.

(bitterly)

What honor is there in defeating a weaker opponent? Had Duras destroyed that ship he would've been lauded as a hero of the Empire... for murdering helpless refugees.

He takes another deep drink of blood-wine.

KOLOS

We were a great society not so long ago. Honor was earned through integrity... not senseless bloodshed.

Archer looks closely at Kolos for a beat, then...

ARCHER

For thousands of years, my people had similar problems. We fought three "world wars" that almost destroyed us... whole generations were nearly wiped out.

*

KOLOS

What changed?

ARCHER

(pointed)

A few courageous people began to realize they could make a difference...

Archer holds Kolos' look for a beat, then the door opens and the Guard ENTERS. It's time for the verdict. As Kolos and Archer rise to go...

(CONTINUED)

45 CONTINUED: (3)

45

CUT TO:

46 INT. KLINGON TRIBUNAL CHAMBER (OPTICAL)

46

A few moments later. The Magistrate brings down his gavel with a CRASH and SPARK as the tribunal reconvenes. Archer has taken his place on the center platform, and Kolos and Orak stand by.

MAGISTRATE

I have weighed the evidence carefully. Advocate Kolos has made an impressive case...

(dryly)

Much to the surprise of this tribunal.

(then)

Based upon his arguments I am inclined to believe that the accused was a victim of his own foolishness... he was not fomenting rebellion.

A surprised MURMUR passes through the gallery. Orak doesn't look pleased.

MAGISTRATE

But as Prosecutor Orak has made clear, the laws of the Empire were violated, and Captain Archer must be held accountable for his actions... regardless of his intent.

Archer and Kolos exchange a look, that doesn't sound good.

MAGISTRATE

I therefore find the accused guilty as charged.

The Klingons in the gallery CHEER, jumping to their feet and pounding their staffs. The Magistrate immediately gavels them into silence...

MAGISTRATE

However... however, this tribunal cannot ignore his actions assisting the Klingon people. Therefore, the sentence of death is commuted...

*
*

(CONTINUED)

46

CONTINUED:

46

The gallery SHOUTS in anger, banging their staffs. Orak looks stunned, and Kolos looks to Archer with an expression of pride and relief. The Magistrate again gavels the gallery into silence.

MAGISTRATE

Silence!

(then)

Jonathan Archer, you are condemned
to the dilithium mines on the
penal colony of Rura Penthe...

(then)

...for the remainder of your life.

*

*

OFF Archer's reaction, we...

FADE OUT.

END OF ACT THREE

ACT FOUR

FADE IN:

47 INT. KLINGON TRIBUNAL CHAMBER

47

Continuous from Act Three. The Magistrate bangs his gavel.

MAGISTRATE
(to Guards)
Remove the prisoner!

Two Klingon Guards move toward Archer, but Orak suddenly speaks up...

PROSECUTOR ORAK
I protest!

The Magistrate looks down at Orak.

MAGISTRATE
(dryly)
I wouldn't protest too loudly,
Prosecutor. You've won your case.

PROSECUTOR ORAK
And I compliment the Magistrate on
his just ruling... but the
sentence for these crimes must be
death!

Before the Magistrate can respond, Kolos speaks up:

KOLOS
The sentence is death!
(bitterly)
You condemned this man to Rura
Penthe. What is the life
expectancy of a prisoner there...
six months, a year at most?
(with contempt)
And you expect us to believe that
this is an act of mercy?

The Magistrate gives Kolos a dark look.

MAGISTRATE
(a warning)
This court has shown you a great
deal of patience, Advocate. Don't
test my limits any further.

KOLOS
I ask for no special treatment,
only that my client be judged
fairly...

(MORE)

(CONTINUED)

47

CONTINUED:

47

KOLOS (cont'd)
...as any Klingon would be judged.
(grimly)
But it's been many years since
anyone stood in this chamber and
received justice.

MAGISTRATE
(darkly)
Watch your words! You insult the
honor of this tribunal.

(CONTINUED)

47 CONTINUED: (2)

47

But Kolos doesn't waver. He locks eyes with the Magistrate, his outrage building.

KOLOS
(incredulous)
Honor? You acknowledge that Captain Archer acted with conviction and integrity. And how do you reward him?
(mocking)
With a grand public display of "compassion" before sending him him to his death in a frozen cave!

MAGISTRATE
Enough!

KOLOS
(overlapping, intense)
Forgive me if I fail to see the honor in that.

MAGISTRATE
(outraged)
You're in contempt of this tribunal! Sine you have such admiration for the prisoner, you'll join him on Rura Penthe for a period of one year!

The Magistrate brings down his gavel with a CRASH!

MAGISTRATE
(to Guards)
Remove the Advocate!

The Guards move forward and grab Archer and Kolos. As the two men exchange a look, we...

CUT TO:

48 EXT. SPACE - ENTERPRISE (OPTICAL) 48
in orbit of Narendra Three.

49 INT. BRIDGE 49
Reed, Hoshi, Mayweather, N.D.s at their stations. Trip and T'Pol stand near the Captain's chair -- which is unoccupied. T'Pol has just delivered the news of Archer's conviction to the crew, who seem stunned. Mid-scene:

(CONTINUED)

49

CONTINUED:

49

T' POL

The Vulcan High Command will
continue to lobby for the
Captain's release.

Trip speaks for everyone...

TRIP

(frustrated)

So, what do we do?

T' POL

The Klingons only allowed us to
remain here during the trial...
(beat)

We're to leave immediately.

REED

And abandon the Captain?

T' POL

We don't have a choice.

MAYWEATHER

What's this... Rura Penthe like?

T' POL

It's quite... inhospitable.

A beat as this sinks in, then...

REED

They're going to have to get
there...

T' POL

(dubious)

We're deep inside Klingon
territory, a rescue attempt is out
of the question.

TRIP

I'm willing to risk it.

T' POL

(firmly)

The Captain isn't. He made it
clear he didn't want us to
endanger the crew on his behalf.

TRIP

So, you're saying we just forget
about him?

(CONTINUED)

49 CONTINUED: (2)

49

T'POL

I'm saying a rescue isn't an option... but there are diplomatic channels.

TRIP

(frustrated)

We tried diplomatic channels!

T'Pol gives Trip a pointed look...

T'POL

Not all of them.

Trip reacts... what's she implying?

T'POL

I've dealt with several Klingon bureaucrats in the past. Some of them can be... "persuaded."

Trip nods. He realizes T'Pol isn't willing to give up either. Then...

T'POL

Mister Mayweather... take us out of orbit.

Mayweather works the helm. T'Pol sits in the Captain's chair. We hold on her for a beat, as we...

DISSOLVE TO:

50 OMITTED 50

50A EXT. RURA PENTHE - DAY (OPTICAL) 50A

A frozen, snowswept wasteland. A sky with two suns. The weathered tops of subterranean structures poke up through the snow and ice: entrances to the dilithium mines.

51 INT. RURA PENTHE - DILITHIUM MINES (OPTICAL) 51 *

Beneath the frozen planet... KLINGON PRISONERS, dressed in ragged layers of skins and alien arctic clothing, chop ore out of the frosted walls with low-tech tools. A KLINGON GUARD keeps an eye on them. *

WE FIND Archer and Kolos working side by side. Archer sports two weeks of beard growth, and he's wearing layers of animal skins over his dirty uniform. *

(CONTINUED)

51 CONTINUED:

51

The harsh conditions are taking their toll on both men, but the older Kolos is clearly getting the worst of it. He stops his work for a moment, catching his breath. Archer notices.

ARCHER
You all right?

KOLOS
(ragged)
Perhaps I've spent too much time
in the law library... not enough
on the battlefield. *

ARCHER
Not all Klingons are warriors,
remember? *

Before Kolos can reply, the Guard approaches and jabs Kolos with a pain stick! The old Klingon groans in pain and drops to his knees.

KLINGON GUARD
Our ships run on dilithium, not
talk!

ARCHER
Leave him alone.

The Guard shoots Archer a dark look, gripping his pain stick.

KLINGON GUARD
(to Archer)
Get back to work! *

The Guard moves to kick Kolos, but Archer jumps forward and roughly shoves the Guard away from the older Klingon. *

Angered, the Guard brings up his pain stick, intending to subdue Archer with it, but Archer grabs the pain stick. They wrestle over it for a moment, and Archer is finally able to wrench it away. He JABS the Guard with it, stunning him! Suddenly, a SECOND KLINGON GUARD appears, drawn by the disturbance.

He JOLTS Archer with his pain stick! Archer crumples, dropping the pain stick. The second Guard jabs Archer again, giving him a sustained JOLT! *

(CONTINUED)

51 CONTINUED: (2)

51

KLINGON GUARD

Any more trouble from you, and
you'll spend the night on the
surface.

*

The Guards move off, leaving Archer prone on the icy
ground. Kolos moves painfully to Archer's side, helping
him to sit up. They sit for a moment, both in pain...

*

KOLOS

You're a fool.

ARCHER

(ragged)

You're welcome.

KOLOS

Haven't you learned your lesson?
(off Archer's look)

This is why you were sent here in
the first place... interfering in
affairs that have nothing to do
with you.

*

ARCHER

We have a saying on Earth... you
don't kick a man when he's down.

Kolos shakes his head...

KOLOS

So... all humans are like this?

ARCHER

Like what... fair?

*

KOLOS

Stupid.

ARCHER

It's in our nature.

Kolos considers Archer for a beat, then drags himself to
his feet.

(CONTINUED)

51 CONTINUED: (3) 51

KOLOS
Stand up. We have work to do... *

He holds out his hand to Archer.

KOLOS
Unless you want to sleep on the
surface. *

Archer takes his hand and Kolos pulls him to his feet.
As they get back to work...

DISSOLVE TO:

52 OMITTED 52

53 INT. RURA PENTHE - ANOTHER PART OF THE MINE 53

Some time later. Prisoners continue to toil. We find Archer, sporting bruises from his beating, working on a wall with a Klingon-style pickaxe. He chops off a piece of rock and tosses it in a nearby basket. Kolos works beside him.

While they work, the Klingon Guards bring in a group of five more PRISONERS. The prisoners are swathed in furs and heavy clothing against the cold, a few wear hoods, and we don't get a good look at them. Archer notices.

ARCHER
New arrivals.

Kolos looks up as the Guards put the new prisoners to work in the shadows a short distance up the tunnel.

KOLOS
(dryly)
Prosecutor Orak has been busy.

Kolos picks up the basket of dilithium ore, which is now full, and moves off out of view. As Archer continues to work alone, we see:

53A ONE OF THE NEW PRISONERS 53A

watching him intently from the shadows. He quietly slips away from the other prisoners and begins moving toward Archer. We play a tense beat as this prisoner inches closer to Archer, until suddenly...

53B KOLOS GRABS THE PRISONER

53B

roughly by the arm. The Prisoner tries to pull away, but the burly Klingon holds the smaller man tightly. Archer notices the commotion.

KOLOS
 (to the Prisoner)
 Stay away from us! We don't have
 anything you want!

But the Prisoner pulls off his hood, revealing he is actually Reed!

REED
 Captain.

ARCHER
 (to Kolos)
 It's all right, he's from my ship.

*
 *

Kolos warily releases Reed and steps back.

REED
 (to Archer)
 Good to see you, sir.

ARCHER
 You, too. Lieutenant Reed, this
 is Kolos... my Advocate.

Reed nods to Kolos.

REED
 A pleasure.

ARCHER
 How did you get here?

REED
 T'Pol knows a few Klingon
 officials from her days in the
 Ministry of Security. One of them
 put her in touch with a
 corrections officer who was
 willing to... look the other way
 for the right price.
 (then)

*
 *
 *
 *
 *

(MORE)

(CONTINUED)

53B CONTINUED:

53B

REED (cont'd)
 I came on one of the dilithium barges... we bribed the captain to bring us here and then take us back to Enterprise.

*
 *
 *

Archer glances to Kolos.

ARCHER
 (to Reed)
 Is there room for one more?

REED
 I imagine so, but we have to hurry.

ARCHER
 (to Kolos)
 Come on.

*

But Kolos hesitates...

KOLOS
 I can't go with you.

ARCHER
 Why not?

*
 *

KOLOS
 I've been an advocate for fifty years, and I've spent the last twenty of them standing before the Tribunal playing my part...
 (bitterly)
 ...holding my tongue. All the while, honorable men were being sent to places like this without the benefit of a defense. And then I was assigned your case.
 (passionate)
 You told me that on your world a few courageous people made a difference. I'm not sure I have the courage... but I know I can't restore honor to my people living as a fugitive.

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ARCHER
 You realize what that means... you said most prisoners here don't survive a year.

*
 *

KOLOS
 Most prisoners here have very little to live for.

A long beat between the two men.

(CONTINUED)

53B CONTINUED: (2)

53B

REED
(urgent)
Captain...

*
*
*

KOLOS
(to Archer)
Go.

ARCHER
Thank you.

*

Archer holds out his hand and Kolos grips him by the forearm, a Klingon handshake.

After a beat, Archer turns and he and Reed hurry off down the tunnel. We hold on Kolos for a long beat as he looks after them. Then, he bends and picks up the pickaxe that Archer was using. He hefts it, and swings it hard against the wall.

*

As Kolos slowly batters away at the wall, chipping it away piece by piece, we...

FADE OUT.

END OF ACT FOUR

THE END