
THE TRIAL OF COMMANDER DATA

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ABSTRACT

This paper's aim is to explore the moral topics raised in the TV series "Star Trek: The Next Generation" Season 2 Episode 9 entitled "Measure of Man". In this episode Commander Data, an Android, is put on trial to determine if he can be considered human, or if he has the same rights as a human being. This paper discusses ethical issues raised by this trial. Picard's argument in defence of Data appeals to epistemological doubts about whether or not Data is sentient. But this paper will take an alternative approach. It will show how inanimate objects can also possess a value which demand ethical obligations from sentient beings. It will also show how the trial reflects back on human morality and the measure of man refers less to the audience and more to the human beings conducting and observing the trial.

Keywords: Star Trek, Virtue Ethics, Artificial Intelligence, Consequentialism, Measure of Man

Background

Star Trek is one of the most popular science fiction franchises, perhaps rivalled only by Star Wars. Star Wars is classified as a space opera, the term used to describe a fantasy novel with space and science as background themes. Star Trek, on the other hand, is classified as hard sci-fi, a genre characterised by the attention it pays to hard questions raised by advanced technology, including questions that are philosophical in nature. There are, for instance, episodes of Star Trek that raise questions about morality, the mind-body problem, and artificial intelligence.

Star Trek: The Next Generation has one of the most interesting characters in the series: Lieutenant Commander Data. Created by Dr. Noonian Soong, Data is the most sophisticated Android ever made in Star Fleet. He is smarter and stronger than any of his human crew members. With all his superior capabilities, his main responsibility is to research humanity. Yet his sole desire is to be more like other crew members of The Enterprise.

This paper focuses on the events depicted in the episode “The Measure of a Man”. In this episode, a trial is conducted to determine Data’s status in the Star Fleet. The episode begins with Commander Maddock, who is researching the work of Dr. Noonian Soong (the creator of Commander Data) in order to produce a replica of the ‘Positron Brain’ that gives Data his astonishing computation capability and personality. But Commander Maddock would need to disassemble Data in order to study his Positron Brain. So, he files a request to Star Fleet for Data to be transferred to his command. This request is approved by Star Fleet Command, and so Data is to be transferred to Maddock’s Command. In order to protect himself and the legacy of Dr. Soong, Data tries to evade this order by attempting to resign from Star Fleet, but his request is denied by the judge advocate Philippa, who accepted Maddock’s argument that Data is not a member of Star Fleet’s *personnel*, but is rather among Star Fleet’s *property*, akin to any one of its other mechanical devices, and as such is unable to resign from his position. Captain Jean-Luc Picard of the Enterprise objected to this claim. A hearing is then held to determine

Data's status, with Captain Jean-Luc Picard as Data's defence lawyer vs. Commander William T. Riker as the hostile attorney

Picard's argument in defence of Data appeals to epistemological doubts concerning the ability to claim that Data is not sentient. Data shows all the outward signs of being sentient. This casts uncertainty concerning whether Data is indeed, as the prosecution alleges, an insentient automaton. In the episode, it becomes then deeply unclear whether Maddock's plan involves merely dismantling a mindless automaton - in order to make millions more of them, to be used as cannon fodder - or whether it involves destroying a conscious being in order to create and enslave millions more. The stakes in this case are extremely high and, given the seemingly intractable uncertainty, the Judge advocate errs on the side of caution, deeming that Data should not be dismantled or treated as mere property.

The question I want to raise here is this: What other considerations might the defence team have advanced on Data's behalf? What if we grant Riker his premise that Data is an insentient machine? Does it follow that there is nothing morally at stake in dismantling him?

Obligations towards our property

First, let's look at Commander Riker's Argument, which tries to establish that Data is just a machine. He starts by having Data answer the question "What are you?", to which Data replies that he is an android. Riker then proceeds to have Data demonstrate his superhuman strength by bending a steel bar, specify his own technical specifications, and remove his arm for inspection. Then, he asks who built him. Data replies "Dr. Noonian Soong". Riker then press on with the question "More basic, what is he". Data then answer "Human". After that he proceed to say the closing line to his statement:

The Commander is a physical representation of a dream, an idea conceived of by the mind of a man. Its purpose is to serve human needs and interests. It's a collection of

neural nets and heuristic algorithms. Its responses dictated by an elaborate software programme written by a man. It's hardware built by a man. And now. And now a man will shut it off.

In a dramatic climax, he then approaches Data and presses his hidden off switch.

Riker's argument can be presented as follows:

1. Commander Data is an android.
2. Android is created by a human
3. Humans are owners of their creations.
4. Therefore, Commander Data is a property of Star Fleet.
5. And therefore, they can dismantle him and study him as they please.

This argument is clearly flawed. We can assume that premises 1 – 3 are true. Premise 4 raises issues relating to the concept of property – a category whose moral significance is questionable, since its extension is partly determined by legal convention.

But we can focus particularly progression from premises 1-4 to the conclusion 5. This inference is entirely unwarranted. That something is *legally* and *justly* the property of some person or some organization does not give them right to do whatever they please with it. The Mona Lisa belongs to the Louvre, but that doesn't give the Louvre a right to do whatever they please with it. The same goes for a broken *tesla coil* that Nicola Tesla himself was working on before his demise, a rare classic car, Light Cruiser HMS Belfast that is moored in Thames, the US Constitution in Boston, and even the wreckage of the USS Arizona. All of these things are creations of mankind and none are sentient. Yet, given their cultural significance, we have obligations to preserve them – or at least should not do any harm to them. Plausibly, the 'should' in these claims expresses a *moral* imperative, as opposed to (or in addition to) a legal or aesthetic one.

It is therefore clear that some inanimate objects have a status that generates obligations for us to protect and preserve them. Data arguably falls into this category. We are granting that he is a machine, an android that is the property of Starfleet. The point to stress here is that it does not *automatically* follow that Starfleet has the right to dismantle and study him.

But what if, by dismantling Data and studying him, Star Fleet can mass-produce androids like him. If a single Data is valuable, perhaps a multitude of them would be much more so. In reply, consider the USS Enterprise (CV-6 the World War 2 aircraft carrier), which is a ship in Yorktown Class, alongside CV-5 Yorktown and CV-8 Hornet. While these ships are identical in design, all three of them are fundamentally different. The name “Yorktown” refers to the great losses in Midway where many sailors lost their life. The name “Hornet” refers to the daring Doolittle Raid against the mainland of Japan. Likewise, the USS Enterprise has its own aura and significance. In the episodes of *The Next Generation* it is mentioned that vessels named “Enterprise” are destined for greatness. While seafaring (or space) vessels often share the same class and same design, the meaning and value behind their name are wholly different. Physical identity alone does not determine the value of each object.

We have considered examples of morally and culturally significant artefacts that we plausibly have a moral obligation to preserve and protect. If Data is counted among such artefacts, we should therefore ask: what is it about Data that gives him this status and generates these obligations?

Some things have value intrinsically. A person plausibly has intrinsic value and deserves treatment as an end in him- or herself. But other things have value extrinsically – value derived from their relationships to other things. If Data is insentient then it is plausible that our obligations to preserve him are due to extrinsic facts about him. There are two such lines of thought that I will consider: one relating Data’s relationship to his creator, Dr. Noonian Soong, and the other relating to Data’s representational properties.

Wronging the Dead

Starfleet arguably has an obligation to protect Dr. Soong's legacy, as he is now the only Soong's Android left after his brother Lore had been destroyed. Data says that:

I am the culmination of one man's dream. This is not ego or vanity, but when Doctor Soong created me he added to the substance of the universe. If by your experiments I am destroyed, something unique, something wonderful will be lost. I cannot permit that; I must protect his dream.

Dr. Noonian Soong, Data's creator, is dead. Does that mean that he cannot be wronged by destroying Data, his *Magnum Opus*? The action is wrong in the same way as peoples running around and "bombing" (terminology in graffiti circle which mean spraying paint over someone else's work) works of the famous Thai graffiti artist Mamafaka after he had passed away.

How can the dead be wronged or harmed in any way? This is a difficult question and I will not attempt to answer it here. What I do want to show, however, is that it is not at all absurd to think *that* the dead can be wronged – even if we lack an account of *why* this is so.

If we hold that a dead person is someone that cannot be wronged, why would we be obliged to posthumously execute their will? Why would we treat their now lifeless body with respect? Or why should we try to preserve their legacy? I think we can agree to a certain degree that there are certain actions, which when done to corpses, are distasteful or outright immoral. Consider the case of the infamous Count Vlad Dracula who impaled his political enemies and Turkish army on the iron rods. The impaled parties are no longer of this world and presumably do not know what has been done to their bodies. But this action seems distasteful and immoral.

Another story from Thai folklore called Sri Thanonchai. Sri Thanonchai is a very smart person, but cruel and used his intellect to

cheat other people. He made many enemies, including the king. The king would try to engage in a battle of wits with Sri Thanonchai but was always outsmarted. After Sri Thanonchai's death, the king and his subordinates try to desecrate the cremated remains of Sri Thanonchai by urinating on them, only to get tricked by Sri Thanonchai from beyond his grave, who ordered his coffin and the firewood used for his funeral pyre to be made from nettle wood which would cause irritation to anyone exposed to its smoke.

Value and Representation

Some things have value because of what they represent. An example would be a national flag. There is nothing about the material composition of a flag that makes it especially valuable, nor is there anything intrinsically valuable about the way its colours are arranged. And yet many people do value their national flag and would be offended by somebody defacing it. They value the flag because it represents their nation and its history and culture. In some countries, the law states that the national flag cannot touch the ground. In Thailand, the law states that you need to respect the flag and cannot use it as a decoration. Why such concern over some coloured fabric? Thailand's national flag is a symbol of the sovereign state and the monarchy, which have the highest value among Thai people. The flag is a good example of something that holds values extrinsic to itself.

We can also consider an example from *Star Wars*. At the end of "Empire Strike Back," Hans Solo was captured by The Galactic Empire. His body is frozen in carbonite and used as a decoration by Jabba the Hutt. His body is reduced to an object. Even though he is no longer sentient, we judge this as horribly wrong. The reason is that the value in this object is bestowed upon it by the human entity that it once represented.

Likewise, Data is a representation of human being. He is made in the image of man. The whole gamut of good human characteristics is encoded inside him: curiosity, compassion, intellectual and many more, even if he (might not) be conscious.

Virtue-ethics considerations

The final line of thought that I will consider takes a cue from virtue ethics. What would a virtuous person do in this scenario? What kind of a person would *want* to dismantle Data? More directly, what kind of a person is Maddock?

Commander Maddock is what we can call a “flat-character”. He is represented as being somewhat malicious. He is the very definition of a mad scientist. To Maddock, morality is just an impediment to the pursuit of scientific breakthroughs. He is not completely lacking in morality. He merely places morality in lesser priority.

Data is an important crew of the Enterprise, the most esteemed vessel of Starfleet. Data is an engineering marvel created by the great mind. And given his complex history and existence – not to mention to significant chance that he is indeed sentient – a virtuous person would not treat him as a replaceable machine.

One counterargument aims to justify Maddock’s proposal in consequentialist terms. Perhaps there have been unethical experiments in human history that have led to huge breakthroughs in science. But this observation does more to refute consequentialism than it does to justify the experiments. While the result of these experiments *seem* to justify them, they are still cruel and unethical.

Conclusion

We can conclude that evidence and argument raised by Riker is inconclusive. Even if Data is insentient, this is not enough to justify Maddock’s proposal. But this trial can serve us as a way to learn more about ourselves. In *Star Trek: Nemesis*, Data met his demise during the Borg invasion. And in his memory Picard says to B-4, Data’s brother:

I don’t know if all this has made any sense. I wanted you to know what kind of man he was. In his quest to be more like us ...he helped us to see what it means to be human.” “My brother was not human” replied B-4. “No, he wasn’t. But

his wonder, his curiosity about every facet of human nature ...allowed all of us to see the best parts of ourselves. He evolved. He embraced change because he always wanted to be better than he was.

In the end, Data is perhaps the most humane character in the entire series. He naïvely embraces every side of humanity. He reflected a picture of humanity in the purest and most innocent ways.

The name of the episode “Measure of Man” is ambiguous. Who is being measured in this episode exactly? Is it Data being measured for whether or not he is a “man”? Was Maddock measured for his lack of ethical virtue? Or is it we, the audience, who are being asked to reflect and measure our own value?

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