

And, of course, congressional reform is an important symbol of self-restraint at the government level. If the people elected to government cannot impose restraints upon themselves and treat themselves like they treat others, what confidence can Americans have that government will act in their best interests?

I believe, based on many statements by my Republican colleagues, that there is much common ground on which we can work, provided that we have the will to do so.

I want to offer my assurances today that Democratic Senators will work with Republicans. We always have, and we are prepared to do so again this year. We want to go to work. We want to do so in a bipartisan fashion. We believe the American people expect and deserve as much. I look forward, Mr. President, to a productive year.

I thank my colleagues for their patience.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. HATFIELD. Mr. President, I would like to make a parliamentary inquiry. What is the parliamentary situation as relates to time?

The PRESIDING OFFICER. There is 1 hour and 40 minutes under the control of the majority leader. Senators may speak for up to 10 minutes within that.

Mr. REID. Mr. President, what is the parliamentary procedure, 1 hour and 20 minutes used by the majority leader?

The PRESIDING OFFICER. There will be 1 hour and 20 minutes under the control of the majority leader, and 10 minutes. The Senator from West Virginia may speak for up to 20 minutes within that time.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. HATFIELD. I thank the Chair.

(The remarks of Mr. HATFIELD pertaining to the introduction of legislation are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

(The remarks of Mr. SPECTER pertaining to the introduction of S. 17 and S. 18 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the Chair.

REVERSING HISTORICAL IRONY

Mr. BYRD. Mr. President, the English word "irony" comes to us from an Ancient Greek word meaning "a dissembler in speech."

The English word "irony" is defined as the contrast between something that somebody thinks to be true, as revealed in speech, action, or common

wisdom, and that which an audience or a reader knows to be true.

Mr. President, permit me to give an example.

If anyone in the hearing of my voice will take out a U.S. one-dollar bill and turn that one-dollar bill over onto its obverse side, he or she will read in clear script, "In God We Trust."

Permit me to introduce another example.

Every day of each new meeting of the Senate and House of Representatives, an official Chaplain of each of those two Chambers of Congress—or a designated substitute—will stride to the dais and address a sometimes elegant prayer to the Deity.

Again, every day in courtrooms across this country, hundreds of witnesses will take their place at the front of the court chamber, put their hands on incalculable numbers of Bibles, and swear to tell the truth, " * * * so help me God."

Only today, I and several other Senators swore an oath, standing there near the Presiding Officer where he sits now, swore an oath that we would support and defend the Constitution of the United States against all enemies, foreign and domestic, that we would bear true allegiance to the same, that we took this obligation, freely without mental reservation or purpose of evasion, and that we would well and faithfully discharge the duties of the office on which we were about to enter "so help me God."

Additionally, daily, thousands of men and women in a variety of groups, and millions upon millions of boys and girls in our schools will pledge allegiance to our flag, uttering among others the words " * * * one nation, under God, * * *"

I was a Member of the Congress when Congress inserted those words into the Pledge of Allegiance.

And here is the irony: in spite of that chain of rituals that I have just related, in situation after situation, anecdotal and documented both, public school authorities, ostensibly following rulings of the Supreme Court dating from at least the 1960's, have prohibited the utterance of prayers at school functions, in classrooms, at school commencement exercises, even when the students themselves wanted to have a voluntary prayer which they themselves would compose, or even in groups or privately on public school property.

Mr. President, as I read my U.S. Constitution, such a prohibition of prayer in school flies in the face of the First Amendment, which declares, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof * * *."

Therefore, our Government is supposed to be absolutely neutral in this matter, and the Constitution provides that neutrality when it says Congress shall make no law respecting the establishment of religion, on the one hand, or prohibiting the free exercise thereof,

on the other. That is absolute—absolute—neutrality.

So please note those words again: " * * * or prohibiting the free exercise thereof * * *"

That passage was explicitly written into our Bill of Rights at the insistence of none other than James Madison—commonly remembered as the father of the Constitution—based on direct appeals to Madison by Baptist ministers in Virginia who had been forced to support the official state church during the Colonial Era, and whose practice of their own religious choice had been officially denied, proscribed, or penalized by Colonial officials.

How ironic that from that understandable Constitutional safeguard in support of the free exercise of religious faith, opponents of any religion have turned that passage of the First Amendment on its head to prohibit—I said, to prohibit—the free exercise of religion in our public life and, particularly, to drive religious faith out of our public schools.

It is equally ironic that, as religion is making a public resurgence in the long atheistic former Soviet Union, our Nation, whose protofoundations stand on the sacrifices of hundreds of thousands of early colonists whose primary inspiration in coming to America in the first place—Congregationalists, Calvinists, Baptists, Jews, Catholics, Orthodox, and others—whose primary purpose in coming to America in the first place, I repeat, was a yearning for religious liberty against those who would deny them the right of religious liberty—that our Nation should be embarked on a course which, in effect, denies religious liberty to many of its citizens.

Mr. President, I have heard increasing concerns about the lack of moral orientation among so many younger Americans—about a rising drug epidemic among our children, about rampant sexual promiscuity, about children murdering children, about gangs of teenage thugs terrorizing their neighborhoods, and about a pervading moral malaise among youth in both our inner cities and our suburbs.

Is there any wonder that so many young Americans should be drifting with seemingly no ethical moorings in the face of an apparent effort to strip every shred of recognizable ethics, of teachings about values, and spirituality from the setting in which those young Americans spend most of their waking hours—our public schools?

Mr. President, in an effort to restore something of a spiritual balance to our public schools and to extracurricular activities in our public schools, I am today introducing a joint resolution to propose an Amendment to the Constitution clarifying the intent of the Constitution with regard to public school prayer.

My amendment is an effort to make clear that neither the Constitution, or the amendments thereto, require, nor do they prohibit, voluntary prayer in

the public schools or in the extra-curricular activities of the public schools. Anyone who fears that the language of my amendment would allow public schools to mandate the recitation of daily prayer, or that school administrators will become the authors of such prayers, need not worry. This amendment does not supplant the clear proscription contained in the "establishment" clause of the First Amendment. My amendment is an effort to make clear that the words that the Constitution uses with regard to religious freedom do not mean that voluntary prayer is prohibited from our public schools or public school activities.

In short, I hope to end a three-decades-long tyranny of the minority in denying to the majority of Americans the least vestige of the exercise of a liberty otherwise guaranteed by the Constitution—the right of American children in our public school system to pray in accordance with their own consciences and in the privacy of their voluntary associations within our public schools.

That right I sincerely believe the Constitution already grants, but I want to spell out in that same Constitution, by way of an amendment thereto, that permission to pray voluntarily in our public schools does not constitute "an establishment of religion."

Mr. President, on this, the first day of the 104th Congress, a Congress in which the controlling mantra seems to have become "change" and "reform," I would suggest that Members listen to the American people.

Every Senator who stands here proposes to speak in accordance with the wishes of the American people. Each Senator arrogates to himself the right to speak on behalf of the American people. I would suggest that Members listen to the American people. Indeed, Mr. President, I would call my colleagues' attention to a recent poll reprinted in the December 17 issue of *National Journal* in which passage of a constitutional amendment allowing school prayer was the number one legislative priority the public wanted us to consider. Not the balanced budget amendment. Not the line-item veto. Not amending the filibuster rule so as to permit the invoking of cloture by a mere majority of the Senate. Who cares about that, out there beyond the Beltway?

Rather, the American people clearly understand the need for us to begin to restore the moral underpinnings of this Nation.

With introduction, and I hope eventual passage of my amendment, we can finally begin the 7-year-long process to answer the people's concerns. We can begin to restore the spiritual compass that has been lost in the lives of so many of our citizens. And most importantly, we can begin to return to our children the moral orientation that they so desperately need and desire.

I urge those who want to deliver on the wishes of the American people to join me in this effort.

Mr. President, I shall introduce this for referral to a committee. I have notified the minority, the now majority—it is going to be a little difficult for me to stop thinking in those terms. I am going to have to, for a while at least. I have also notified the majority that I intend to try to put this resolution on the calendar under rule 14. If nobody objects to further proceedings at that point, I will, but I believe Mr. KEMPTHORNE is aware of what I am about to do and he will be prepared to object at the right time.

So, Mr. President, first I will attempt to get this resolution on the calendar under the provisions of rule 14, and then I will introduce it as a resolution to be referred.

Mr. President, I send to the desk a resolution. Let me read it so that everybody will understand clearly what it says:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission to the States for ratification:

"ARTICLE—

"SECTION 1. Nothing in this Constitution, or amendments thereto, shall be construed to prohibit or require voluntary prayer in public schools, or to prohibit or require voluntary prayer at public school extra-curricular activities."

Mr. President, I send this joint resolution to the desk, and I ask that it be read the first time.

The PRESIDING OFFICER. The clerk will read the joint resolution for the first time.

The assistant legislative clerk read as follows:

A resolution (S.J. Res. 7) proposing an amendment to the Constitution of the United States to clarify the intent of the Constitution to neither prohibit nor require public school prayer.

Mr. BYRD. Mr. President, I ask that the resolution be read a second time.

The PRESIDING OFFICER. Is there objection?

Mr. KEMPTHORNE. Mr. President, I object.

Mr. BYRD. Will the Senator withhold his objection until it is read the second time, and then he can object and it will go on the calendar.

Mr. President, I yield the floor.

Mr. KEMPTHORNE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I withdraw my request for a second reading of the resolution today.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BYRD. It will automatically come up for a second reading on the next legislative day; am I correct?

The PRESIDING OFFICER. Yes.

Mr. BYRD. I thank the distinguished Senator. I ask unanimous consent that the Senator from North Carolina [Mr. HELMS] have his name added as a co-sponsor of the resolution.

The PRESIDING OFFICER. The Chair thanks the Senator and it will be so ordered.

Mr. KEMPTHORNE addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

(The remarks of Mr. KEMPTHORNE pertaining to the introduction of S. 1 are printed in today's *RECORD* under "Statements on Introduced Bills and Joint Resolutions.")

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, if you could explain the rules today, may I have my 10 minutes now from the time of the Democratic leader?

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mrs. BOXER. I thank the Chair very much.

Mr. President, I come to the floor today to congratulate those Senators—both Democratic and Republican—who took the oath of office today, and I come to the floor of the Senate to look ahead to the future.

Those of us who serve here are truly blessed with an opportunity quite rare—to represent our States in the greatest deliberative body in the world—one with a rich legacy of dedicated men and women whose service is always judged by history.

Like 1992, 1994 has been a year of political change. In 1992, 105 million Americans went to the polls and voted for a Democratic President, dislodging a Republican President. In 1994, 70 million Americans went to the polls and voted for a Republican Congress, dislodging a Democratic Congress.

The American people voted for change in 1992 but change didn't happen fast enough, so they sent another message in 1994.

Change was on the lips of the American people in 1992 and change is still on the Nation's lips of the American people in 1994.

Each of us is asked what change means.

First, I believe people want the American Dream restored; they want economic security. American people feel they no longer can be sure of having a job, of having health care coverage, of raising their standard of living, no longer sure of our children having good paying jobs, owning a home, having Social Security or personal

safety. As Robert Reich said, these changes have turned the middle class into the anxiety class.

Second, I believe people want to feel safe in their neighborhoods. They know that ideological fights will not get them safer neighborhoods. The people recognize that we need a commonsense mix of tougher punishment and effective prevention. To serve the people, we must have the guts to keep all cop-killer bullets off the streets.

Third, I believe people want the deficit reduced by smart spending cuts, leaving smart spending priorities. People want the Government to stop wasting their money, but they want their Government to have a strategy so we can be part of the solution.

Fourth, I believe people want to have a Government that doesn't interfere in their lives, but defends their individual freedoms.

Fifth, I believe people want a Congress that acts in the best interests of the people of the United States of America so that our families have an unbought voice, our children have an unbought voice, our environment has an unbought voice, and our country can rely on a Congress whose Members don't cash in on their power. Let's keep out the special interests and let's live by the same laws as all Americans do.

Now I want to say that I came to the Senate representing 31 million people on that very platform in 1992, and nothing about the 1994 election tells me that that platform of hope, economic opportunity, individual rights, and congressional reform has lost its significance.

Certainly, I stand ready to fulfill those goals in new and better ways. None of us has all the answers, but together we can find them. We should choose from all the best ideas from each political party, and from new Senators as well as old. I stand ready to do that, and I have already reached out to my Republican friends.

But let me tell you what I do not stand ready to do.

I do not stand ready to allow those who talk about reform to destroy protections and rights guaranteed to all Americans.

I believe the Republican Contract With America calls for just that, and since their goal is to pass it in 3 months, I feel I must speak out.

The contract talks about bringing back the gag rule to health care clinics. Here is the contract that professes less government on the one hand, but uses the Republican hand to gag doctors and nurses in clinics from telling their patients that abortion is legal option in this country. When that fight comes, I will be right here. And speaking of health care clinics, I trust my colleagues will support law and order in a tragic escalation of violence waged against lawabiding Americans.

Law and order plays a big part in the contract which is fine. But, sadly, it resurrects the old fight between punishment and prevention. We should lis-

ten to law enforcement authorities who tell us we need both. Let us not undo the crime bill that police worked so hard for. If there is a move to rescind the crime bill in the name of fighting crime I will be right here to fight it.

Middle-class tax relief? I am here. It was the President who promised it during his campaign, and he has defined a very fair middle-class bill of rights that helps families with children and eases the burden of college tuition costs. I support this.

The Republican contract talks about the middle class, and I am with them all the way. But if what they really mean is tax breaks for those worth millions, I will be right here to point out the farce.

Tax relief should not help Members of Congress. We make enough. It should help the middle class. There are still those with multiple millions of dollars sneaking through tax loopholes. We do not need more of that, we need less.

The contract talks about orphanages and poor children being denied nutrition assistance. I will not stand by and allow children to starve or be torn away from parents or grandparents in the name of reform. I do not care if "Boys Town" is a good film. We better learn from the past, not go back to it when it did not work.

I am ready to talk about work requirements and tough standards for welfare.

That's absolutely essential. We must not reward laziness or excuses. I am here to talk about smart incentives like workable group homes for kids and those responsible for them; I am here to talk about real punishment for those who neglect their kids. But if you push policies that in the name of reform hurt these kids and make them hungry or homeless or abused, I will be there to take them on.

The contract calls for securities litigation reform to end what the contract calls "frivolous laws suits." This sounds great, but when you read the fine print you see a plan that would let greedy and irresponsible parties completely off the hook after they dump risky investments on the public.

The Republican contract would heighten the economic insecurity of millions of Americans who save for the future; have a 401K savings plan, a corporate pension plan, an IRA, or a mutual fund.

The contract would make it almost impossible for small investors to successfully sue well-heeled investment bankers for fraud. It would require small investors to prove their case—to know what went on in the mind of anyone who defrauded them—before they file suit. It requires small investors to be mind readers.

How would this Republican contract have affected Ramonna Jacobs of Los Angeles. Mrs. Jacobs, unwittingly, invested money earmarked for her disabled daughter in Charles Keating's junk bonds.

Mrs. Jacobs could not have successfully sued Charles Keating if the Republican contract was in effect. There was no way Mrs. Jacobs could have known, at the get-go, how Charles Keating schemed to defraud her, what Charles Keating knew and when he knew it.

Deception is the essence of securities fraud. The Republican contract ignores that. In doing so it will increase the insecurity—economic and otherwise—of millions of Americans.

I will fight that kind of destructive legislation disguised as reform.

I will not stand by and allow our people to be hurt by gutting air and water quality standards in the name of deregulation as the contract says.

If you want to talk about streamlining regulations that bureaucrats are bungling I'll be right there. There is no need to have people hung out to dry while we figure out how to apply environmental laws. I agree with that.

But if by "streamlining" you really mean destroying or ripping away sensible environmental protection laws, I'll be right here to call it the way I see it.

I ran as a fighter for the people of California and as I figure it, if you cannot breathe you cannot work or live. Today a baby born in Los Angeles has a 15 percent lower lung capacity than a baby born in a clear air area. That's wrong.

And let us cut spending where it makes sense to do so. We have opportunities all over the Federal budget. I look forward to working constructively to do that on the Budget Committee and on the Senate floor. But the Republican contract calls for fencing off one part of the budget so savings cannot be used for anything else. Why should one part of the budget be treated differently? The contract puts the military budget in a separate area behind the fence and it throws away the key. They do not do that for Social Security. They do not do that for Medicare—they don't do that for education or for law enforcement. They only do that for the military budget.

Now I am all for a strong military and against wasteful military spending. In the eighties we found out we were buying \$7,500 coffee pots and \$600 toilet seats and \$350 "No Smoking" signs and spending millions on weapons that blew up fans in portable toilets instead of helicopters and billions on star wars when tests were rigged to make it look good.

And I have news for you even today: with all the reforms we've enacted, we still have generals taking \$200,000 military flights. An Air Force general recently had a VIP C-141B Starlifter fly from New Jersey to pick him up—along with his cat and an aide—in Naples, Italy, and fly him to Colorado. The flight cost between \$120,000 and \$200,000. A commercial ticket would have cost less than \$1,500.

And believe it or not, we are paying convicted felons in the military mil-

lions of dollars a year while they sit in jail. No one could get away with that in the private sector.

In the meantime, we continue to spend two to three times more on the military than all other enemies combined.

So let us not have any sacred cows. It makes us weaker as a nation, not stronger. Let's determine what it takes to meet the threats we face—debate the appropriate level of funding, always be ready to procure the funding for emergencies but let's not fence off one part of the responsibility.

Let me read from the preamble of the U.S. Constitution:

We the People of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish, this Constitution for the United States of America.

It doesn't say provide for the common defense only.

It does not say, "provide for the common defense and, if you feel like, promote the general welfare."

It does not say that providing for the common defense takes precedence over establishing justice.

It says to do all those things.

I believe in our Constitution. Some of the things I hear lead me to believe that the preamble of the Constitution has become meaningless to some Members of Congress—I fervently hope not.

I have great confidence in the institutions of our Government. They have prevailed through many political and economic times more trying than these.

But they are always tested.

I intend to make sure our institutions pass this test.

That the Government of, by, and for the people will prevail and not be destroyed in the name of slogans and rhetoric.

I look forward to a legitimate debate on how we can make this the most prosperous country, the fairest country, and the healthiest country in the world. I hold out my hand in the search for constructive solutions, but I hold up my hand to destructive political posturing.

The American people want us to work together. They want the filibuster abuse to end—they want us to take the best ideas—whoever has them—and turn them into policies.

They want us to work with the executive branch for progress.

Let us do that.

But I also believe the people from my State of California expect me to fight for them above all, and if that means standing on the floor of the Senate all by myself to do that, I will—any day, any hour. That's the promise I made to them.

The PRESIDING OFFICER. The Senator from Alaska is recognized, Mr. STEVENS.

Mr. STEVENS. I thank the Chair.

(The remarks of Mr. STEVENS and Mr. KERRY pertaining to the introduction of legislation are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. I thank the Chair.

(The remarks of Mr. STEVENS pertaining to the introduction of S. 49 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. I thank the Chair.

(The remarks of Mr. GLENN pertaining to the introduction of legislation are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER (Mr. THOMPSON). The Senator from Massachusetts.

Mr. KERRY. I thank the Chair.

SUSTAINABLE FISHERIES ACT

Mr. KERRY. Mr. President, the Senator from Alaska introduced the Sustainable Fisheries Act previously and placed my comments in the RECORD as if read in full.

I will simply address those comments except to say that we have a crisis in Massachusetts and New England, now a crisis that will grow across this country and all coastal States. We desperately need a better regimen for managing the fisheries of this country. It is my hope that colleagues, while we wrestle with the symbols and the quick hot buttons of the American political process, will focus on a program of enormous importance to people whose livelihoods depends on fishing.

BROOKLINE ABORTION CLINIC MURDERS

Mr. KERRY. Mr. President, this is the second time in 6 months that I have risen to discuss the terrifying implications of abortion clinic murders, but now I am deeply saddened that my State has joined others that have seen the horror and felt the pain of this senseless violence.

Last Friday morning at 10 a.m. Shannon Lowney, a 25-year-old activist working as a receptionist at a clinic in Brookline, MA, looked up and smiled at a man who had just walked into her office. It was John Salvi.

In response to her smile and welcome, he pulled a collapsible Ruger rifle from his bag—aimed it at Shannon and fired at point-blank range. He killed Shannon and wounded three others.

In mourning her death, many people in Massachusetts and in the country are wondering about why this occurred and they are also wondering about who was Shannon Lowney and what does her life now show us.

Her friends called her "Shanny" and she was a very caring, committed young woman who represents the best of her generation. She cared about people. She tutored Spanish-speaking children in Cambridge, helped poor villagers in Ecuador, worked with abused children in Maine, and last week she finished her application to Boston University for a masters in social work.

She was one of those rare people in a generation that has been often called Generation X or the uninvolved generation, yet Shannon confronted injustice and acted on her deep and abiding belief that we are all in this together; that we are community and each of us must accept our personal responsibility within that community, no matter what our beliefs.

The irony and the tragedy is that to John Salvi, Shannon's life meant nothing except an opportunity to make a statement. The good and the decent life of someone who truly cared about others was taken in the name of life.

Mr. President, no matter what our views on abortion might be, I am confident that every decent American mourns the senseless murder of Shannon Lowney and is touched by the loss of someone so young and so committed to working with other people.

Contrast Shannon's life and her motives and the motives of a man like John Salvi—a man who killed one person and wounded five others and then left Planned Parenthood and walked a few blocks to the Preterm Health Services Clinic where he asked Lee Ann Nicols, a 38-year-old receptionist engaged to be married this year, whether this was, indeed, the Preterm Clinic. She said yes, and he shot her from less than 1 yard away killing her on the spot.

He then said, "In the name of the mother of God," aimed at Richard Seron, a lawyer working as a security guard, and shot him once in each arm. He shot one other person, 29-year-old June Sauer once in the pelvis, once in the back, and then he left.

So five people injured, two people killed. He then drove 600 miles south to the Hillcrest Clinic in Norfolk, VA, where he went on another shooting spree, but nobody was hurt. And now we must ask ourselves what does this mean, who is John Salvi, and what does his life show us?

On Christmas eve, Salvi delivered a sermon about the Catholic Church and its failure to see the true meaning of Christ. But what was his motivation beyond whatever warped perceptions he had as a diviner of the scriptures?

Paul Hill, the minister currently on Florida's death row, gives us some insight into John Salvi's motivations. Hill gave us a chilling reason for killing a doctor and his assistant in Pensacola. He said:

The Bible teaches us to do unto others as you would have them do unto you. Therefore, according to his reasoning killing a man who is about to kill an unborn child constitutes self-defense.