Lewis states that he believes since states can regulate wages and interest rates that they have the right to police sexual acts because in his argument all of these issues are issues of privacy as well that should be policed by the government.

“If this is so, then how is it that a state may regulate the agreed upon (consensual) rate of interest between debtor and creditor, the wages between employee and employer? After all, privacy is privacy, whether in economic affairs or those of the heart. The fact is: there may be a stronger case for the banning of sex acts in the name of public health than there is for the myriad of state usury laws, though both as a matter of policy (not law) are unwise.” [Power Divided is Power Checked pg. 114]

Lewis focuses his argument against gay marriage by claiming that it doesn’t have a constitutional basis.

“Of course, there is no constitutional “right” to marry, as family law has been traditionally left to the states.” [Power Divided is Power Checked pg.115]

He uses the comparison between gay couples and polygamist, drug users, and loan sharks to perpetuate his point that he believes that being gay is a choice.

“Gay couples are no more discriminated against than the polygamist, the drug user, or the loan shark.” [Power Divided is Power Checked pg.116-117]

Lewis claims that the government run healthcare system is in violation of the freedom of American citizens.

“Perhaps the most contentious detail in the Obama administration’s massive one-size-fits-all healthcare plan is the individual mandate for citizens to buy health insurance. Beyond the economics of such a Herculean task, the federal government has never before instructed citizens to buy a particular product, which is one reason why it is being challenged in court.” [Power Divided is Power Checked pg. 127]

Lewis believes that the federal government abuses the general welfare clause by claiming that anything that they do is for the general welfare of the American people.

“Washington’s healthcare mandate offers no choice, and is far beyond the reach of federal power anyway. If Congress could merely cite interstate commerce for whatever act it chose to pass, an amendment to the Constitution would never have been necessary to ban “the manufacture, sale or transportation of intoxicating liquors” throughout the United States during Prohibition. Perhaps that’s why the administration has already signaled its intent to rely on its power to spend as it wishes under the general welfare clause—arguing that the federal plan is essentially a healthcare subsidy program with certain strings attached. Intuitively, most people see this as a constitutional stretch as well. The “power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare” has been perhaps the most abused and frequently cited phrase for expanding federal power in the nation’s history.” [Power Divided is Power Checked pg.129-130]

Lewis paints the relationship between the federal government and the state as an abusive and toxic relationship.

“Federal gasoline taxes, collected at the local pump, are to be returned to the states only if they do exactly as the feds wish (e.g. the building of mass transit lines and bike paths). This is legal extortion. The point is that so much of Washington’s power is attributable to unconstitutional federal spending, of which total annual outlays are now approaching an astonishing four trillion dollars annually.” [Power Divided is Power Checked pg.135]

Lewis claims that the commerce clause is being abused like he believes the general welfare clause is being abused under federal run healthcare.

“Not surprisingly, the commerce clause now serves as yet another justification for expanding federal power.” [Power Divided is Power Checked pg.141]

Lewis states that the Americans with Disabilities Act is being taken advantage of because of the vagueness of the language used within the legislation.

“The Americans with Disabilities Act is a perfect example. Businesses, under the law, are now forced to make a “reasonable accommodation,” whatever that is. Some interpretations are so absurd ( some golfers get ‘court imposed’ motorized carts on the PGA Tour, and patrons in wheelchairs at strip clubs have demanded accommodations for lap dances) that the Supreme Court took four cases in 2002 to clarify and define just what the statute means.” [Power Divided is Power Checked pg.154]

Lewis doesn’t believe that the federal government should be allowed to control judicial appointments and that it should be within the hands of the people.

“Other ideas for limiting federal power include judicial elections (which many states employ) instead of federal appointment or the requirement of a unanimous vote on questions of constitutionality.” [Power Divided is Power Checked pg.155]

He believes that people don’t have the right to complain about the laws in their respective states because they chose to live there and have participated in elections that could have changed the laws.

“In other words, people are free to choose the laws under which they live. Only self-government allows for the people to change the law with free and open elections. And if they don’t prefer the law in their state, they may leave.” [Power Divided is Power Checked pg.161]

Lewis has created what he believes is an imperative twenty eighth amendment to the Constitution that limits the federal government’s power over the states.

“I believe it is time to consider a new amendment to the Constitution: one that reclaims the origins of the republic and the Tenth Amendment by limiting all branches of the federal monolith. So I suggest a Twenty-Eighth Amendment to the United States Constitution with the following proposed language: Except where expressly stated, nothing in this Constitution or its Amendments shall grant to the executive, legislative, or judicial branch of the federal government jurisdiction over the several states. This prohibition of federal interference extends to but is not limited to all matters in the nature of substance of state legislation, providing such law affords its protection equally to all citizens and whose implementation is consistent with common law procedures of ‘due process.’ The general welfare clause in the preamble and in Article 1, Section 8, of this Constitution shall not be construed to grant the federal branches of government any extended powers not previously or subsequently and specifically enumerate in this Constitution. This Amendment also defines commerce among the states as only those economic transactions conducted between two or more states, and not those transactions conducted by parties or entities residing in the same state regardless of their impact upon commerce among the states. Furthermore, regulating commerce among the states may be used only to ensure the free flow of commercial transactions voluntarily established among the several states; it does not include the requirement or the elimination of economic transactions without further Amendments to this Constitution. It is also hereby established that any state who inhabitants desire through legal means and in accordance with state law to leave this union of the several states hall not be forcibly refrained from doing so by the federal government of these United States.” [Power Divided is Power Checked pg. 165-167]

Lewis believes that by limiting the tasks that the federal government has to do we will shrink the issues that this country is facing.

“But this nation is hopelessly divided on the most vexing issues of the day precisely because we ask the federal government to do too much—often against the will of our neighbors. If the nation were to coalesce around just a few tasks assigned to federal officials, we would heal many of our national wounds by letting people choose the law under which they live in their own state. That is the recipe for domestic tranquility.” [Power Divided is Power Checked pg.170-171]