# Appeals Judge Erwin discusses merit selection

N.C. Court of Appeals Judge Richard C. Erwin recently said "changes will have to be made" in the state judicial system in the near future.

Erwin said he hopes he will constitute the first

If successful in November, Erwin will become the first black elected to a statewide office in the history of North Carolina.

Gov. Jim Hunt appointed Erwin to fill the newly created 12th seat on the state Court of Appeals, effective Jan. 4, 1978. Under state law, appointed justices must face the voters in the next regular

In general, appointed justices run unopposed, but Erwin had Democratic primary opposition in May and faces Joe N. Cagle, a Republican lawyer from Hickory, in November.

"In the history of the court there have been only three sitting judges-a woman and two blacks. including myself-that have had opposition," Erwin said.

"Gov. Hunt appointed four persons to the (appeals) court. It is not coincidental that I am the only one opposed," he said.

Erwin did not wish to elaborate at this time on specific changes for the judicial system, stating simply, "I think we have a fairly adequate system, although this court (the Court of Appeals) is the workhorse of the judicial system."

With his primary victory, Erwin said, he has opened the floodgates that have held back potential black candidates for office.

"Basically, I'm a pioneer," Erwin said. "In my campaign, I want to run a reasonably successful operation, pay my bills, and have enough people supporting me that any other black person who wanted to run could look at my campaign and say, 'It can be done."

Erwin pointed out the debt he and all future black candidates owe to former Chapel Hill Mayor Howard N. Lee and his unsuccessful 1976 campaign for lieutenant governor.

"Mr. Lee's campaign gave legitimacy to a black candidate. However, there is a difference in running for one of 12 (appeals court) judgeships and running for lieutenant governor.

"I think a conservative person will be thinking it is not unusual for one of 12 judges to be black. If there were only one judicial position, however, I think I would have some problem."

For a black candidate to be successful, he must have contacts across the state, and have been "tested and proven" in some other state office. Erwin said. The 54-year-old\_former Winston-Salem attorney served two terms in the House of Representatives of the N.C. General Assembly in 1974 and 1976. He served on the state Board of Education for six years, appointed by Gov. Bob Scott in 1971 and resigned when appointed to the Court of Appeals.

Although experienced and well known, Lee failed in his bid for office because he was only the second black person to run for a statewide office, Erwin said.

would depend on the events at the time and the mood of the state" whether or not a black person could win in a bid for a major state office, he said. Erwin's victory in the May 2 primary against challenger Austin B. Campbell of Fayetteville

"It's hard for me to say exactly why he lost, but it

'IN QUOTES'

BY KATHY CURRY

"just occured at a time when all the circumstances and events were in their proper places," he said. During the primary campaign, Gov. Hunt publicly supported Erwin, breaking with

traditional party leaders' policy of non-

intervention in primary contests. "Without the governor's support, I would have been seen as a black person running against a white person. I don't believe he wanted it boiled down to black vs. white, and it wasn't," Erwin said.

Judicial races, with their traditionally lackluster campaigns, often go unnoticed by the public, and many have raised the question of the necessity for the election process for judges at all:

While in the General Assembly, Erwin chaired a subcommittee that sponsored an unsuccessful move to establish a system of merit selection of appeals court judges, rather than the present system of elective selection. The merit-selection system would involve initial selection of judges by the governor on the basis of their credentials. The system would eliminate situations where persons unrelated to law or the legal system would run against appointees in partisan contests.

The governor would select appointees from a list

of names submitted by a special commission. "I think it will be quite some time before North Carolina will pass a constitutional amendment favoring merit selection," said Erwin.

People believe that judicial election brings the justices closer to the people, Erwin said. Those opposed to the merit-selection system feel the country club group would comprise the commission that would make judicial selections,

"Merit selection cannot be considered until it is decided which body will do the selecting," he

Throughout his legal career, Erwin has been an active champion of black advancement, having served on the NAACP Board of Directors and on the Forsyth County Citizens Coalition, formerly the Winston-Salem Urban Coalition. In 1968, Erwin served as president of the panel, made up of administrative and executive personnel, both black and white, of prominent Forsyth County corporations.

"My job (on the Coalition) was to supervise the corporate distribution of money to programs designed to make improvements in housing, welfare and medical care for blacks," Erwin said.

Erwin's immediate concerns and plans revolve around the crucial November date. Judicial races traditionally are overshadowed by senatorial races, and his race is no exception, Erwin said. "While campaigning, I'd sing my little song, but

no one ever asked me to sing again," he joked. "People are really not interested in the judicial

Richard C. Erwin

Erwin admitted that a judges' inability to talk about issues while campaigning is a major cause of the lack of interest.

"I'd go to rallies where other candidates would be present, and people would ask me about the Wilmington 10 case and busing. I'd spend the whole time saying I couldn't talk about such issues. People want to hear about issues.

Kathy Curry, a journalism and political science major from Charlotte, is a staff writer for the Daily Tar Heel.

Lou BILIONIS, Editor

CHUCK ALSTON, Managing Editor DON WOODARD, Associate Editor DAVID McKINNON, Associate Editor

BERNIE RANSBOTTOM, University Editor MARY ANNE RHYNE, City Editor DAVID STACKS, State and National Editor JACI HUGHES, News Editor

BETSY FLAGLER, Features Editor MARK SCANDLING, Arts Editor LEE PACE, Sports Editor ALLEN JERNIGAN, Photography Editor

# The Daily Tar Heel

86th year of editorial freedom

## The summit: not a finale

The hopes of a world weary with strife in the Middle East are focusing on the private meeting of three men at Camp David, Md., today. And while the three men do not deserve the singularly awesome challenge of reversing the course of years of history, they are the only human beings who can call an end to hostility and deliver a humane peace.

It is a political drama; a session sure to feature captivating characters and unresolved conflicts. No answers, no firm solutions will result. But if the commitments that bring these three to Camp David-sincere desires for sure and lasting peace between Israel and Egypt—can be cemented, the goal will be one giant step closer to realization.

Egyptian President Anwar el Sadat already has expressed that commitment clearly; his bold announcement that he would journey to Jerusalem last November inspired millions around the world while alienating many of his allies in the Arab community. The drive for a settlement has become a matter of personal conviction for Sadat, and failure ultimately could doom his political future. He must maneuver gracefully to ensure Palestinian security—an issue of prime importance to Arab nations—and coax away land Israel seized in 1967 on the West Bank of the Jordan River to save his political stock at home.

Israeli Prime Minister Menachem Begin will not move easily to Sadat's overtures; he is reluctant to accept a Palestinian homeland and sees the West Bank as essential to Israel's security. But Begin, who has taken no steps as dramatic as Sadat's initiative last fall, as of late is issuing just as loud a call for peace. His public statements indicate he is willing to work with the Egyptians toward a settlement and if the Camp David summit proves unfruitful, he will undertake a different route.

President Carter, the host, raised many an eyebrow when he plunged into the Middle East controversy and suggested a Camp David summit. His political standing at home—and abroad—is noticeable shaky, and observers warn that anything short of success this week only will weaken his position. But Carter recognizes the Israeli-Egyptian talks as crucial to relations with all nations, and, more important, notes that he alone can serve as the mediator between two determined and steadfast leaders. Compromises must be granted; an intermediate solution must be hammered out on the Palestinian and West Bank questions, and Carter present the compromise Sadat and Begin cannot dare to initiate.

Thus far, it only has been a beginning—the first scene in the first act. The numerous talks since last November have been supplemental scenes and the summit this week is not the finale, but merely a necessary development of the plot. The last act can be triumphant, but only if this unraveling story is accepted with concern and patience.

## The Bottom Line

Equalizing

Granted this is an all-too-male world, and Title IX justly demands equal treatment of the sexes in all programs. Still, men aren't always handed the better end of the deal.

Three stalls, two wall fixtures, three sinks, three mirrors. One large, dismal room. For the guys, these constitute a restroom. And the women? All of the above-conveniently separated into quaint, private chambers. Plus a lounge-padded chairs, a couch or two, and a small but baroque end table.

Why are men denied these physical and aesthetic comforts? Surely it cannot be the old Victorian belief that women are more prone to fainting spells.

Far be it from this column to take the "rest"out of restroom; humankind must recognize a good thing when it appears. All things being equal-which they generally are not-one would do well to adorn the male facilities as well. If not, some buildings (e.g. the Carolina Union) will undoubtedly fall under the allencompassing disgression of Title IX.

## Dear beer

The party's over. We should have expected it long ago, of course. We were given all the signs. First to go were the cigarettes. But little

did we realize just what kind of terrible harbinger that surgeon general's report would become.

Hard on its heels came the awful truth

about saccharine. And then, it was Katy bar the door. It seemed that every substance that ever entered our persons was crammed with chemistry guaranteed to make our cells turn black and grow sideways. We were breathing. eating, drinking and absorbing carcinogens like they were candy.

· Meat was out. To say nothing of the sodium nitrites, there was the stuff they were using to fatten the animals.

We gave up shellfish. Among other things, they lived too close to the rivers that carried the stuff they were using to fatten the animals.

And fish went. We figured we needed mercury about like we needed a hole in the head, which we understood was what mercury would give us anyway.

Fresh vegetables were out, of course. To our increasingly suspicious (and suspect) minds, what was bad for the bugs was bad for us. And with the preservatives and additives and colorings, the stuff that got beyond the fresh stage was out too.

But there was always (always) beer. The College lifestyle tends to discourage eating and encourage beer drinking, of course, but with our knowledge of chemistry we figured we were doing ourselves a real favor all this time.

Then along comes the news this week. Beer, too,-dear beer contains a cancer-causing substance. Nitrosamines, to be specific, although we personally are too morose to care, really. The party's over. And that's the bottom line.

## governor refused to speak out against House Bill 658, a BY DAVID STACKS

If you are one of the unfortunate few whose grandparents never treated you to a day at the circus.

One of the greatest shows on earth shifts into high gear this week, and you have a front-row seat for the nineweek, three-ring traveling show.

The week of Labor Day is the traditional start of the arena event commonly known as general election campaign season. The main event this year is a U.S. Senate election.

And the 1978 version promises to be a classic. This is one of the few election years since Reconstruction when Democrats have been on the outside, hoping to oust a

Richard Nixon carried the Tar Heel State-as did. Sen. Helms and former Gov. Jim Holshauser -- in 1972. In the 1976 elections, Jimmy Carter and Jim Hunt reestablished control in the White House and the State Capitol. Now only Helms stands in the way of what loyal Democrats consider a "return to normalcy."

And with almost \$5 million stashed away in his campaign war chest, Helms has attracted Democratic criticism much the same way old butter attracts flies. Even Gov. Hunt, a Democrat whose differences with Ingram are well-known, has appeared with the

candidate at rallies across the state. A major campaign issue this fall likely will be which of the two candidates is more familiar with the ins and outs

of legislative haggling. Ingram has lashed out at Helms for his spendthrift stands in Congress, but Helms has said nothing about Ingram's inability to persuade state legislators to vote against House Bill 658.

Elected the state's insurance commissioner in 1972

General Assembly measure that took away much of Ingram's insurance rate-setting power and gave it instead to the insurance industry.

Legislative know-how was again the issue last month when Ingram accused Helms of trying to deceive tobacco farmers by taking credit for a bill Helms voted

against. The accusation drew a countercharge from Helms, who said Ingram does not know how the Senate works. Helms was one of eight senators who voted against a \$23.4 billion appropriations bill for the U.S. Department of Agriculture. Among the items in the bill was a \$3.1 million appropriation for continued funding

of the Tobacco Production Research Station at Oxford and similar facilities in three other states. On the day he voted against the bill, Helms' campaign headquarters issued a statement claiming victory for tobacco farmers in the funding of the research facility. The release did not mention that Helms had voted

against the measure. In response to Ingram's accusation, Helms said he had led the fight to assure funding of the tobacco research

The Republican said he voted against the bill because it included several unnecessary programs and did not maintain support to the tobacco station. But the legislation is now in conference committee, where the tobacco-research funds likely will be included, he said.

Another hard-to-get-a-fix-on piece of campaign rhetoric is the matter of special interests. Both candidates have said the other represents only a small segment of the population, and both claim to be best able to carry out the interests of a majority of North

Ingram has said Helms is against educational programs and assistance for the elderly, but Helms has declined to respond to the Democrat's special interest

"Well bless John's heart," Helms said in a recent press

U.S. Senate race steps into center ring release. "Apparently he has decided to set up a straw man everyday so he can get a headline.

"I believe the taxpayers of North Carolina expect me to oppose wasteful and unnecessary federal bureaucracy that duplicates itself and drives up inflation every day," Helms said.

Helms' political war chest has brought in almost \$5 million, giving both Helms and Ingram something to

Despite a report showing his campaign treasurey is nearly empty, Ingram has rejected a \$5,000 contribution from the political action committee of the national AFL-

Observers said Ingram refused the help for fear of giving Helms more ammunition in his effort to link the Democrat with organized labor.

But the large sum collected by Helms from out-ofstate contributors has put Republican workers on the defensive. Ingram has speculated that Helms is unable to raise sufficient funds from contributors in North

According to his last campaign report filed June 30, Ingram has spent about \$75,000 since he announced his candidacy. As of that date, he had \$3,000 in cash and an estimated \$3,000 in unpaid bills, excluding a \$20,000

loan he advanced himself. As of June 30, Helms had raised \$5.65 million and had \$90,000 cash on hand.

Campaign financing, legislative skill and special interest charges are some of the more interesting issues and questions raised by the two candidates during the slow campaign season this summer. Campaign rhetoric should become even more plentiful with both Republicans and Democrats moving into the center ring as November draws near.

David Stacks, a junior journalism major from Blowing Rock, is state and national editor for the Daily

## and 1976, Ingram chastised Hunt last summer when the letters to the editor

## Traffic Office fails to inform customers

Last April we contracted with the UNC Traffic Office for an academic year parking sticker. We listed our preferences as N-4 and S-5, in that order. We had an N-4 sticker last year and found it quite suitable to our needs, and we felt that as senior carpooling commuters we had an excellent chance of receiving our first

The sticker we received this fall was marked N-4-B. Nobody informed us that the B meant anything, so we naturally assumed it was all right by the Cobb tennis courts, as all maps, signs and traffic office regulations books indicated (and still do), and as we had done before. We did not, however, count upon the

logic of the University bureaucracy. Tuesday, Aug. 29, we received a parking ticket that claimed we were in the wrong lot. We had parked in the N-4 lot by the Paul Green Theatre, so we went to the Traffic Office to clear it up. We discovered to out dismay that something called the Vice Chancellor's Committee on Transportation had decided last spring to give the first 130 commuter

requests for N-4 an N-4-B sticker and assign them all to the Park Place lot behind Forest Theater, approximately one-half mile from Hamilton Hall, the nearest classroom building.

When we contracted for the N-4 sticker, we did it with the implicit understanding that we had a choice of spaces anywhere in the N-4 sector. If we had known we would be stuck one-half mile from the nearest classroom, we wouldn't have included N-4 as one of our choices. The policy decision was made last spring, but no one bothered to inform us when we laid our money on the line. We were not informed during the summer so we could alter our choice, and no one bothered to inform us when we received our sticker this fall. We feel misled.

Not only misled, but unduly discriminated against. The Traffic Office and Craig Brown, head of Student Government's Transportation Committee, have told us the policy was enacted to allow residents to park near their dorms, and to fill the Park Place lot, which remained only partially used last year. The logic eludes us. Dorm residents

have the convenience of being within walking distance of their classes. We, however, must travel into campus 45 minutes early each morning, and now supposedly must walk an additional onehalf mile to the nearest classroom. Residents surely can find spaces in their lots if they bother to park the night before, when the lots are only half full. When we have parked in the tennis court lots these last two weeks at 8:30 and 9 a.m., we have found them half full. By noon they're full. Somehow we believe it's not the dorm residents getting up at 8:30 to move their cars into the lots-in other words, we've been taking commuter spots, not resident spots. Besides, why is it that commuters should be penalized by having to walk the additional one-half

mile this winter? One more point. The same Summary of Regulations Governing Motor Vehicles Parking at the University of North Carolina at Chapel Hill July 1. 1978 to June 30, 1979 that showed no restrictions on N-4 lots summarizes the sticker allotment priority system by saying that "freshmen and students living

within one and one-half miles of the Bell Tower are ineligible for automobile permits." Why then do residents of Henderson, Joyner, Lower Quad and Cobb get priority over us-seniors living three miles from the Bell Tower-if that

The parking situation is poor at best, and we cannot understand why the University bureaucracy decided to mess it up more by altering our contractual agreement while leaving us in the dark, and by penalizing commuters. We can't help being commuters-we were forced off-campus by University Housing. We tried to do a positive thing by carpooling our sticker, and now we pay for it in inconvenience.

We hope this letter will inform those affected by this situation of what's going on, because the Traffic Office seems unwilling to do so. And we hope it spurs action, because something needs to be done to straighten out this mess.

> Keith Ripley Stephen LaBelle V-9 Kingswood

## Offensive and perverse

To the editor:

Once again I am appalled at your lack of discretion in the publication of the article by Frank Moore in Thursday's DTH, "In Search of (Sigh) a Woman." I find Mr. Moore's analogy of women to automobiles and spaceships highly offensive, if not outright perverse. Mr. Moore asks, "What more could Chapel Hill women expect?" I feel confident that I speak for a great number of women in the Chapel Hill community when I answer, "A hell of a lot more than you have displayed in your recent decision to publish Mr. Moore's article, fantasies, or frustrations."

I agree in part with Mr. Moore's analysis of the changes he has witnessed in himself over the past four years of his life in Chapel Hill, (from "optimistic" to "burned out"), though I find it hard to believe that he was ever a "neat guy." Mr. Moore closes his article with the

mention of a less frustrating sport, catching a Frisbee. With the attitude expressed in his article, he's lucky that's all he's caught.

> Paula M. Needle c/o The N.C. Fellows Program 301 Steele Building

