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A-376

Interview

with

RICHARD C. ERWIN

June 29, 1995

by Joseph Mosnier

Indexed by Joseph Mosnier

The Southern Oral History Program
University of North Carolina at Chapel Hill

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SOHP Series: The North Carolina Politics ProjectTAPE LOG

Interviewee: Richard C. Erwin, Senior Judge, U.S. District Court, Middle District of North Carolina

Interviewer: Joseph Mosnier

Interview Date: June 29, 1995

Location: Winston-Salem, NC

Tape No.: 6.29.95-RE (cassette 1 of 1)
(approximate total length 75 minutes)

Topic: An oral history of Richard C. Erwin. Erwin, now a Senior Judge on the United States District Court for the Middle District of North Carolina, has been a leading African American figure in state political and judicial affairs since the mid-1970s. Erwin was born in 1923, attended the public schools of Marion, NC, and later graduated from Johnson C. Smith University (1947) and Howard Law School (1951). From 1951-1977, Erwin was in private practice in Winston-Salem, NC. In November 1974, Erwin won election to the NC House, and won reelection two years later. In December 1977, Governor Jim Hunt appointed Erwin as the first black ever to serve on the NC Court of Appeals. In 1978, Erwin won reelection to the Court of Appeals in the first successful statewide race by a black candidate in NC history. In 1980, Erwin was appointed by President Jimmy Carter to the federal district court. After encountering the opposition of Senator Jesse Helms, Erwin was confirmed by the U.S. Senate and became the first African American federal judge in NC history.

Substantively, the interview is organized around three major themes: (1) the evolution of black political activity in North Carolina since the passage of the Voting Rights Act of 1965, (2) the re-emergence of the state Republican Party in these years, and (3) the increasing prominence of certain cultural issues in the state's politics in the same period. The interview proceeds through these matters in roughly chronological fashion, with a focus on Judge Erwin's political involvements.

Comments: Only text in quotation marks is verbatim; all other text is paraphrased, including the interviewer's questions.

TAPE INDEXCounter Index Topic

[Cassette 1 of 1, Side A -- Tape No. 6.29.95-RE]

001 [Opening announcement.]

- 008 Erwin's election to and work on the Winston-Salem/Forsyth County School Board, 1961-68. Segregation was an issue "in the back of our minds" but early on no plans were made for desegregation. He does not recall the Board having to decide any requests by black students seeking transfer to white schools.
- 042 His earlier public service involvement, including with the United Methodist Church.
- 049 Merger of city and county school systems.
- 066 Through the early 1960s he did no civil rights litigation as a part of his law practice, but he defended some persons after sit-ins began in 1960.
- 077 His response to the passage of the Civil Rights Act of 1964 and Voting Rights Act of 1965: pleased, certainly, but no strong recollections beyond that.
- 086 Description of the nature of black political organization ca. mid-1960s in NC.
- 117 Reginald Hawkins's 1968 race for the NC governorship: motivated blacks to vote. Erwin had known Hawkins from college.
- 133 At 1968, with several black candidates in the running for various offices in NC, his feeling was that gradually black political fortunes would improve gradually.
- 147 Governor Robert Scott invites Erwin to serve on State Board of Education in 1971; details of his service on the state board.
- 164 Reaction to the Swann decision of 1971; the local board of education responded slowly.
- 177 Race, then and now, is a "substantial" factor in state politics.
- 181 Holshouser's 1972 victory as the first GOP governor in NC in twentieth century resulted in part from Skipper Bowles's overconfidence.
- 211 Jesse Helms's use of the slogan "He's one of us" in the 1972 Senate campaign, with its implicit suggestion that his opponent's ethnicity made him suspect. Nick Galifianakis's primary win over the sitting Senator B. Everett Jordan "did not go over well at all," and this factor together with Helms's skill as a campaigner led to Helms's victory.
- 227 Democrats did not interpret the events of 1972 as a portent of great danger for the state Democratic Party.
- 243 Jim Hunt's emergence as a political figure in NC; Hunt often stopped by Erwin's office when he was visiting other parties in a Winston-Salem office building.
- 267 Erwin's decision to run for state assembly in 1975; details of Erwin's recruitment by local Democratic Party leaders and his campaign. Erwin was able to raise more money from whites than from blacks, though the latter gave to his campaign in greater numbers. His major campaign issue was to eliminate school fees, but he later was not able to get this legislation passed in Raleigh.

- 357 Impressions of the General Assembly, and details of his service there. Relationships with the two Speakers during his four years in Raleigh, Jimmy Green and Carl Stuart.
- 400 Erwin's assessment of Holshouser's performance as governor: a good person, who did fairly well given that the General Assembly was dominated by Democrats.
- 410 Recollections about the small group of key black political leaders in Raleigh ca. mid-1970s, five in the state House and two in the state Senate.
- 467 Erwin enjoyed serving in the House. "I didn't have any great problems being in the House."
- 478 Details of Erwin's re-election in 1976 to a second House term.
- 488 Erwin's relationship to Jim Hunt after Hunt's 1976 election, and to top state Democratic Party officials. The Party under Jim Hunt's leadership. Erwin earlier supported Robert Morgan in his 1974 U.S. Senate race.
- 536 Details of Erwin's December 1977 appointment by Jim Hunt to the NC Court of Appeals, after black members of the state House lobbied Hunt to name a black appointee to the Court, which was being expanded in size.
- 566 Details of Erwin's successful 1978 campaign for re-election to the NC Court of Appeals, which marked the first-ever successful statewide campaign by a black in NC history. How a white opponent chose to run against Erwin, considering Erwin the most vulnerable recent appointee to the expanded Court of Appeals, but Erwin prevailed, winning Hunt's support and carrying 94 of NC's 100 counties in the Democratic primary.
- 600 Key political supporters of Erwin's: Mrs. Frank Forsyth of the Reynolds family in Winston-Salem; chamber of commerce types; and a prominent attorney who was the president of the local bar. Erwin never ran up any campaign debts.
- 653 Details of Erwin's nomination by Jimmy Carter to the federal bench; Erwin cites the support of Mrs. Forsyth and Jim Hunt as crucial to his appointment.
- 694 [End of Side A.]

[Cassette 1 of 1, Side B -- Tape No. 6.29.95-RE]

- 001 [Opening announcement.]
- 003 Details of Jesse Helms's opposition to Erwin's appointment, nominally over the issue of Erwin's support for a pro-labor amendment to a bill during his tenure in the state House.
- 033 Helms hoped to hold up the confirmation votes of a slate of Carter's judicial nominees until Reagan took office, but the vote went ahead and Erwin was confirmed.

- 066 Erwin had some second thoughts about leaving the NC judiciary, but now believes that moving to the federal system was a very good move.
- 080 The political fight over ERA while Erwin was in the state House. Erwin sees two reasons for opposition to the ERA: confusion over what the Amendment would do, and fear of white men over challenges to their status.
- 114 How political power in Raleigh has shifted in the 1980s from the traditional power brokers, the rural Democratic representatives, towards urban and metropolitan Democrats as rural voters became more conservative; this trend in turn prompted still further rural support for the GOP.
- 143 Further gains by the GOP in the 1980s: the presidency, Jim Martin's governorships, etc.
- 153 Why traditional Democratic voters have gone over to the GOP in the 1980s: some due to economic self-interest, some because of conservative social or cultural issues.
- 177 How the Democratic Party has dealt with the issue of race: "about like most Southerners -- ain't very much different than Republicans -- just enough to get by. Race is [still a very] serious [issue] today."
- 197 Erwin supports majority-minority redistricting, and does not believe whites are harmed by such redistricting. He favors it even if surrounding districts become more conservative.
- 236 Erwin credits Helms and Jim Broyhill as key figures behind the rise of the GOP in NC in the last decade. The Democratic Party is "a bit weak" today. Erwin gives his views about the current GOP political program.
- 282 Asked for any issues he thinks deserve further emphasis, Erwin points to the ramifications of the failure of integration, which never worked because it whites never allowed it to work. White leadership failed to be fair, and tremendous problems have resulted. Erwin is not optimistic about the prospects for successful resolution of the race question.
- 345 Black economic fortunes "have changed some, but not a hell of a lot." Even if we had an activist government seeking racial equality, some problems would still remain beyond the reach of such efforts.
- 357 [End of interview.]