

Immigrant Bureaucratic Incorporation: The Dual Roles of Professional Missions and Government Policies

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Drawing on original qualitative research, this article investigates how natives and institutions in rural America's "new immigrant destinations" are adapting, if at all, to Hispanic newcomers and whether corresponding interaction should be viewed as substantively responsive. In contrast to predictions made by traditional political incorporation theories, results based on semi-structured interviews and ethnographic fieldwork suggest that Hispanic newcomers are undergoing a process of bureaucratic incorporation whereby public service bureaucrats, rather than elected politicians, are initiating substantive responsiveness. Yet I also identify a continuing interaction between immigrant bureaucratic and political incorporation in rural America. I conclude by connecting my findings to more general sociological perspectives regarding population needs, electoral bodies, and public bureaucracies in democratic societies.

Since the 1980s, two trends have changed the face of contemporary U.S. immigration. First, the undocumented population has undergone extraordinary growth, reaching approximately 11 to 12 million people in 2008. Second, immigrants, primarily Mexicans, have dispersed geographically into "new" destinations—destinations that have had little prior experience with immigrants (Massey 2008; Zúñiga and Hernández-León 2005). Together, these trends have magnified debate over immigration and its

benefits and costs to U.S. society. Indeed, these trends have coalesced to produce the highest proportions of undocumented immigrants relative to total foreign-born populations in new destinations (Passel and Cohn 2009).

Surprisingly little is known, however, about the processes through which immigrants, especially undocumented ones, are being incorporated into or excluded from U.S. society in locales with little precedent and scarce resources with which to facilitate immigrants' socioeconomic advancement and political incorporation (Massey 2008; Waters and Jiménez 2005). Resource disadvantages are most acute in rural new destinations, where there are few migrant-serving or community-based organizations offering economic assistance, much less political access (Gouveia, Carranza, and Cogua 2005; Torres, Popke, and Hapke 2006). In such contexts, the opportunities for immigrants' incorporation into "mainstream political debates, practices, and decision making" (Bloemraad's [2006:6–7] definition of political incorporation) are reduced in both their legalistic and participatory dimensions. Many newcomers, being undocumented, cannot naturalize, vote, or participate in electoral politics, while others have fewer resources and points of entry into politics than would be available in larger

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urban areas. Consequently, immigrants' chances for group-level political incorporation through descriptive representation—that is, representation of their own interests as political actors—are depressed, making political incorporation more likely to depend, at least in the early stages of settlement, on increases in substantive representation—that is, representation of their interests by other political actors.

How are natives and institutions in rural new destinations responding to these newcomers? And do such responses represent substantive responsiveness toward newcomers' interests? Such questions, germane to the study of inequality, immigration, and politics, are addressed in this article through analyses of inclusion and exclusion toward Hispanic newcomers,¹ particularly undocumented ones. I focus on two new destination counties in the rural South, with specific attention to electoral politics and several sets of public bureaucracies: elementary and higher educational institutions, social welfare and medical services agencies, and law enforcement and court systems. Due to dual new destination and rural resource disadvantages, some of the places where Hispanic newcomers are most likely to encounter the state are in such bureaucracies.² Here, they interact

directly with public service workers who, as “street-level bureaucrats,” have substantial discretion to interpret, enact, and enforce government policies through the execution of their work, even while remaining heavily influenced by rules and bureaucratic processes (Lipsky 1980:3; see also Brehm and Gates 1999; Maynard-Moody and Musheno 2003; O’Leary 2006).

POLITICAL VERSUS BUREAUCRATIC INCORPORATION

Traditional political incorporation theories developed from the experiences of U.S. racial/ethnic minority groups, especially African Americans, specify that “the incorporation of new groups into city electoral politics generally will *precede* any improvements in the way that local bureaucrats treat members of those groups” (Lewis and Ramakrishnan 2007:878, emphasis added; see also Browning, Marshall, and Tabb 1984; Dahl 1961; Jones-Correa 2008; Meier et al. 2005). In this view, one expects minority groups to receive political rights and power in the electoral sphere *before* they receive social rights in lower-order bureaucratic institutions (Marshall 1964). In general, political incorporation theories suggest that bureaucratic practices are correlated with, and highly responsive to, political control exerted by elected officials and electoral outcomes. From a political control perspective, bureaucratic responses to minority groups tend to follow those of politicians because politicians “get bureaucrats to act in a way that they would not otherwise have done” (Meier and O’Toole 2006:178).

Research stemming from principal-agent theories in a variety of disciplines, as well as overhead democracy theories in public administration, critiques this top-down vision of political control. Principal-agent theories assume there is goal conflict between elected “principals” and their bureaucratic “agents” (Meier and O’Toole 2006; Waterman and Meier 1998). Under a political control perspective, principals will fight to bring bureaucrats in line, but principal-agent and overhead democracy theories identify several variables that place limits on politicians’ control over bureaucrats. They envision the politician–bureaucrat relationship as reciprocal, with bureaucrats often

¹ I use the broad term “Hispanic newcomers” because regardless of whether they are foreign- or U.S.-born, Hispanics are all often lumped together as “newcomers” in rural southern new destinations. As late as 2005, for example, the large majority of Hispanics living in North Carolina were born outside the state (79.3 percent)—either abroad (58.6 percent) or in another U.S. jurisdiction (20.7 percent)—while only 20.7 percent were “native” to the state. Additionally, 45 percent of all Hispanics in North Carolina, and 76 percent of foreign-born ones arriving between 1994 and 2004, were estimated to be undocumented immigrants (Kasarda and Johnson 2006:8).

² Religious institutions provide crucial spaces for Hispanic newcomers to organize, although aside from the Catholic Church they tend to be small in the rural South. Labor, nongovernmental, and community organizations are also emerging as agents of newcomers’ political incorporation, but they remain relatively few in number in the rural South, even compared with those in the region’s urban areas. In 2007, for example, I found only eight nongovernmental organizations devoted explicitly to serving the immigrant, Hispanic, or farmworker communities in my fieldsite region of eastern North Carolina.

possessing not only technical expertise and autonomy beyond politicians' control, but also internal values that influence their behaviors (Brehm and Gates 1999; Keiser and Soss 1998; Maynard-Moody and Musheno 2003; O'Leary 2006; Waterman and Meier 1998; Wilson 1989). In fact, Meier and O'Toole (2006) argue that what may look like political control over bureaucracies may be autonomous bureaucratic action within a context of "goal consensus."

Recently, these theories have produced a competing conceptualization of how and why immigrants might achieve political incorporation. In contrast to assumptions of traditional incorporation predictions or even those that suggest a simple reciprocal relationship, noted above, is other work that finds that incorporation into electoral politics follows, rather than precedes, extensions of social rights by bureaucrats (Guiraudon 2000). For instance, in an analysis of new immigrant destination cities in California, Lewis and Ramakrishnan (2007) identify more positive responses to newcomers among local law enforcement officials than among politicians. Not only did law enforcement demonstrate more knowledge about their newcomer populations, but they also implemented more programs to assist them, in accordance with an ideal of police professionalism in the form of community policing. Similarly, in an analysis of two wealthy suburbs of Washington, DC, Jones-Correa (2008) identifies more positive responses to newcomers among local school administrators than among politicians. School personnel instituted a variety of policies supportive of new immigrants, even attempting to redistribute resources and staff to schools in lower-income and immigrant-heavy communities, in accordance with strong professional norms defining "education as a public good, one fundamental to the workings of a democracy" (p. 325). In fact, school personnel pursued these strategies despite a lack of electoral pressure or increased minority descriptive representation to do so, and despite budget constraints and anti-affirmative action court decisions.

These novel findings suggest that traditional political incorporation theories may be misguided in seeing electoral mobilization as the primary, if not the only, way for newcomers to gain substantive representation over time, in viewing bureaucracies as mere "impediments to

democratic participation," and in "ignoring bureaucratic agencies as a possible locus of incorporation" (Jones-Correa 2005b:19). Indeed, the studies reported above find that bureaucrats' responses to immigrants' interests precede those of elected officials and are driven by strong professional norms. Jones-Correa (2005b) further suggests that there may be a rough hierarchy emerging in how different types of bureaucracies respond to demographic change. In his two wealthy suburban fieldsites, he finds that bureaucracies exhibiting stronger service-oriented professional missions focused on dispensing resources, and thus responded more inclusively to immigrants. Those exhibiting stronger regulatory-oriented missions, in contrast, focused on dispensing discipline (Brehm and Gates 1999:109–10; see also Derthick 1979).

Patterned variation in incorporation processes across bureaucratic institutions in eastern North Carolina, reported in my results below, offers support for an emerging process of immigrant bureaucratic incorporation—although one that *interacts* with a process of traditional political incorporation. In 2003 to 2004, bureaucrats in eastern North Carolina had indeed responded more inclusively to Hispanic newcomers, particularly undocumented ones, than had many state and local politicians. Moreover, some bureaucrats had responded more inclusively to Hispanic newcomers than had others: bureaucrats in public elementary schools and emergency medical services exhibited the most inclusionary responses; bureaucrats in higher educational institutions, social welfare services, and nonemergency medical services agencies occupied a middle ground; and bureaucrats in law enforcement and court systems were the least inclusionary.

Such findings parallel and build on those of Lewis and Ramakrishnan (2007) and Jones-Correa (2005b, 2008), suggesting that bureaucrats' professional missions play an independent role in their responses to newcomers—a role analytically distinct from that played by electoral pressures. In eastern North Carolina, educational, social welfare, and legal bureaucrats spoke about their responses to Hispanic newcomers in normative ways that were highly reflective of their professional orientations and goals, not just of government policies. In fact, it was during specific moments when restrictive

government policies collided with their beliefs about fairness and appropriate action toward their clients that bureaucrats' service-oriented professional norms came to the fore most visibly, magnifying their views of themselves as "advocates" oriented to the needs of "consumer clients" rather than "the system" (Maynard-Moody and Musheno 2003:62). This led them to resist the restrictive policies they opposed. Indeed, workers in the most service-oriented "helping" professions were the most likely to ignore, stretch, bend, and, if need be, break restrictive government policies to provide "more-than-routine" service to newcomer clients they deemed worthy.

My findings, however, also diverge and are informative in important ways. Especially notable are the ways in which external government policies remain influential in structuring core interactional patterns and bureaucratic responsiveness. First, government policies define the basic institutional "rules of the game" under which bureaucrats can translate their professional orientations toward Hispanic newcomers into concrete action. Second, inclusive government policies enhance bureaucrats' service roles, while restrictive policies enhance their regulatory roles. This fundamentally shapes how bureaucrats conceptualize their professional responsibilities toward Hispanic newcomers. Government policies can therefore influence incorporation processes by exerting both direct "control" over bureaucrats' behaviors and indirect "influence" (Meier and O'Toole 2006) over bureaucrats' conceptions of their professional roles.

The patterns of institutional immigrant incorporation I uncover in eastern North Carolina are, I suggest, largely determined by the interaction between bureaucrats' professional missions (which influence their visions of newcomers as worthy "clients" to be served or "unworthy" clients to be regulated) and government policies (which require, encourage, discourage, or prohibit bureaucrats from treating and incorporating newcomers as worthy clients in various institutions). The former, as an internal variable intrinsic to local bureaucracies that defines their culture and influences how they respond to demographic change (Jones-Correa 2008), suggests that Hispanic newcomers are indeed undergoing a process of bureaucratic incorporation in rural America. Yet the latter, as an

external electoral variable that places incentives (or constraints) on bureaucracies to respond to demographic change, suggests that the foci of traditional political incorporation frameworks remain relevant to understanding contemporary interactions between immigrants and the bureaucracies that enfold them.

SITE SELECTION AND METHODS

Data for these analyses are derived from 129 individual semi-structured interviews and additional ethnographic research that I conducted between June 2003 and June 2004 in Bedford and Wilcox Counties, pseudonyms for two rural counties in eastern North Carolina. North Carolina was the premier "new immigrant destination" state in the 1990s, posting the highest growth rates among its Hispanic/Latino (394 percent) and immigrant (274 percent) populations between the 1990 and 2000 Censuses. Poverty is more acute in the rural eastern part of the state than in the central piedmont region, which is home to the state's larger metropolitan areas and has seen the greatest growth in Hispanic population figures.

I chose Bedford and Wilcox Counties for specific variations in their local economic and demographic contexts that I hypothesized would structure incorporation patterns.³ Wilcox County's population has been growing, especially among Hispanics, most of whom have arrived since the mid-1980s to participate in the large and expanding low-wage agribusiness and food-processing sectors. By contrast, Bedford County's population has been declining for three decades. While Hispanics have recently arrived, they have done so in fewer numbers, participating in smaller, declining low-wage industries (e.g., tobacco agriculture and routine manufacturing and textiles). In 2000, Hispanics were a much larger proportion of the total county population in Wilcox (15

³ These differences do structure economic and racial incorporation patterns, but not the bureaucratic and political patterns discussed here. These differences might simply not be large enough to differentially shape the implementation of government policies or the activation of bureaucrats' service versus regulatory missions across these two counties at one point in time.

percent) than they were in Bedford (3 percent),⁴ and their presence in local workplaces, neighborhoods, institutions, and public life in 2003 to 2004 was also stronger than that of Hispanics in Bedford.

I conducted slightly over half of the 129 interviews (N = 70) with Latin American immigrants of varying nationalities, in either Spanish or English. These foreign-born respondents hail primarily from Mexico (N = 39) but were also from South America (N = 16), Central America (N = 14), and Cuba (N = 1). Many were direct migrants from abroad. They included 12 naturalized U.S. citizens, 12 legal permanent residents, seven "nonimmigrant" workers employed under temporary contract visas or work permits, 33 undocumented immigrants, and six immigrants whose legal status I was unable to determine. I conducted an additional 18 interviews with U.S.-born Hispanics, in either Spanish or English. These native-born Hispanic respondents, primarily Mexican and Puerto Rican Americans, were from New York (N = 6), Puerto Rico (N = 6), Texas (N = 3), Florida (N = 2), and other states (N = 3). Finally, I conducted 41 (approximately one third) of the interviews with white (N = 27) and black (N = 14) "key native-born informants," in English, in order to triangulate my findings. The high proportion of Mexican-origin individuals among the Hispanic respondents reflects their dominance among North Carolina's Hispanic population, which was 65.1 percent Mexican, 8.2 percent Puerto Rican, 1.9 percent Cuban, and 24.8 percent "other" Hispanic in the 2000 Census.

I located respondents by combining theoretical and snowball sampling designs across four institutional arenas in each county: (1) workplaces, (2) elementary school systems, (3) law enforcement and court systems, and (4) politics. Respondents from workplaces include lower-status immigrants with little formal education and little to no English-language speaking ability, upwardly-mobile Hispanic line managers and supervisors, and some non-Hispanic employers, line managers,

supervisors, and administrative personnel. Respondents from elementary school systems include Hispanic school officials, former students, and parents of Hispanic children in school, as well as non-Hispanic school officials familiar with educational issues affecting the local Hispanic population. Respondents from law enforcement and court systems include some of the few Hispanic personnel there, as well as non-Hispanic personnel familiar with legal issues affecting the local Hispanic community. Respondents in politics include established or emerging Hispanic community leaders and non-Hispanic political leaders in local and state politics. Some respondents fit into more than one arena, such as Hispanic community leaders who were also employed in educational or social welfare institutions, or Hispanic workers who had school-age children or had come into contact with social welfare, medical, or legal institutions. Therefore, the bulk of my data pertain to the four arenas listed above, but I also collected data on Hispanic newcomers' experiences with higher educational institutions and social welfare and medical services agencies.

These rich, in-depth interviews were supplemented with several forms of ethnographic and qualitative research, including observations around key workplace settings; accompanying key Hispanic respondents throughout their workdays; attending local school board meetings, parent-teacher association meetings at elementary schools, and traffic courts; reviewing county commissioner meeting agendas and state and local newspaper archives; attending meetings of the one emergent Hispanic association in each county; attending meetings of groups formed by local politicians and service providers to assess their Hispanic populations' needs; enrolling in a Hispanic leadership course offered by Wilcox County Community College in fall 2003; and speaking informally with newcomer and native residents during the year. To ensure anonymity, all names and identifying characteristics of respondents and research sites have been changed, as has all identifying information regarding illegal activity.

⁴These figures are official 2000 Census estimates, which undoubtedly undercount true numbers.

PATTERNS OF IMMIGRANT INCORPORATION IN THE RURAL SOUTH

RESTRICTIVE GOVERNMENT POLICIES AND THE LACK OF RESPONSE IN ELECTORAL POLITICS

Hispanic newcomers' lack of full political incorporation in eastern North Carolina was obvious in 2003 to 2004. While they had gained some visibility in local bureaucratic positions, primarily as translators and interpreters, no Hispanic occupied any formal political leadership position (e.g., as a local school board member, town council member, or county commissioner) in either county. More fundamentally, national policies on naturalization and voting prohibit recent immigrants from participating in electoral politics. Legal permanent residents cannot participate in electoral politics until they naturalize, which they are eligible to do after five years of residency; undocumented immigrants are excluded indefinitely. This left many newcomers feeling irrelevant to politicians. According to Elisa, a naturalized citizen from Tamaulipas, Mexico, "If they can't vote, they're not important at all."

Benjamin, a white Republican who represented part of Wilcox County in the North Carolina House of Representatives, reinforced this view of Hispanic newcomers as "non-clients" of the electoral political system:

If you can't vote, quite frankly politicians aren't going to pay a whole lot of attention to you. You're not going to help them get elected. So unless you're a citizen and you can vote, most politicians aren't going to side with you on the issues. They will probably represent the rest of the people in their district. I guess you could make a case that you represent [immigrants] if they live in your district, but maybe they're here illegally. And if they are, well, do you really represent them? If you can't vote, now that's one problem. If you're not here legally, that's another.

While Benjamin recognized the serious problem of representation and accountability that is raised by people who live within the boundaries of a liberal democracy but who can neither represent themselves through voting or be well represented by elected politicians (Jones-Correa 2005a), he demonstrated little incentive to reach out to them himself.

In general, local and state politicians in eastern North Carolina lacked both contact with and substantive knowledge about Hispanic newcomers' needs. Politicians generally made only abstract calls encouraging Hispanics to "get involved" and "contact their political leaders" without highlighting a need to take concrete steps to contact Hispanics in turn. Mark Andrews, a white Democrat who represented Bedford County in the North Carolina Senate, even thought that undocumented immigrants should return to their home countries and reapply for legal entry. This statement angered several Hispanics I interviewed. They lamented the politician's lack of understanding of the near impossibility of qualifying for visas in their home countries.

Such data confirm and extend Lewis and Ramakrishnan's (2007:896) finding that local elected officials and municipal agencies in new destination cities in California were relatively unaware of the needs of their immigrant communities, often trailing behind other bureaucratic county agents. Even the few local politicians in eastern North Carolina who expressed a desire to bring more Hispanics into local decision making sought information from public bureaucrats, many of whom worked in schools, social welfare, and medical services agencies and thus had greater knowledge about local Hispanics' needs.

INCLUSIVE GOVERNMENT POLICIES AND PROFESSIONAL MISSIONS IN AN EXEMPLARY SERVICE BUREAUCRACY

Under conditions of extremely low descriptive and substantive electoral representation, traditional political incorporation theories predict even less substantive responsiveness by local bureaucracies. However, bureaucrats working in public elementary school systems in eastern North Carolina espoused a surprisingly favorable view of Hispanic youth (including undocumented ones), envisioning them as automatic and deserving "clients" even when politicians and bureaucrats in other institutions did not. Both counties' school systems had hired bilingual ESL-program coordinators and assistants (primarily in their newcomer-heavy schools), despite the substantial cost, and established policies to encourage Hispanic parents to

become more active in their children's educations.

Such positive responses are not unique; in other new destination states, scholars find schools responding to the increased presence of Latino immigrants "in a variety of ways, generally presenting fewer barriers" than other institutions (Dunn, Aragonés, and Shivers 2005:172; Gouveia et al. 2005; Grey and Woodrick 2005; Jones-Correa 2005b; Price and Singer 2008). Odem (2008:124–26), for example, finds that "schools were among the first public institutions in Georgia and metropolitan Atlanta to develop programs and policies to incorporate immigrants" and that "they have made significant progress in addressing the tremendous challenge they face." This is in contrast to the state and several local governments, who often "enacted policies related to housing, labor, and transportation that aim to exclude and penalize immigrants, especially undocumented Latino immigrants" (p. 132).

Part of public elementary schools' relatively positive response is due to inclusive government policy, which mandates newcomers' physical inclusion and also legitimates teachers and administrators' inclusive attitudes toward them. K to 12 education is a federally mandated government service extending to all youth, regardless of race, ethnicity, nativity, or legal status (the 1982 Supreme Court decision *Plyler v. Doe* ruled that public schools could not use immigration legal status as a criterion for admission). Jenny, a white ESL teacher at Weakley Elementary School in Wilcox County, explained that, based on this policy, teachers and administrators see all Hispanic newcomers as automatic clients to be served, accepting them regardless of their potential undocumented status:

I would say 80 to 90 percent of the Hispanic students here are illegal. And probably 50 percent have false documents, although we're not trained here in the school to evaluate birth certificates. I do know that some of them share birth certificates, but we are obligated to take any birth certificate they give us.

Similarly, an elementary school principal in central North Carolina interviewed by Kandel and Parrado (2006:126) reported that she does not speculate about her students' documentation status and considers it "irrelevant for her schooling purposes." This situation mirrors that

in emergency medical services, in which the Emergency Medical Treatment and Active Labor Act (EMTALA) mandates that healthcare providers in public hospital emergency departments stabilize all immigrants as automatic clients regardless of legal status. Steven, a white Democrat who represented part of Bedford County in the North Carolina House of Representatives, described the situation at local hospitals:

If you go to the hospital in an emergency, you are immediately eligible for [emergency] Medicaid no matter whether you are a legal or illegal alien. In fact, some of these agencies' workers can't ask if they are legal or illegal. It's against the law.

These inclusive government policies are so influential as to restrict the space for counteracting discretion, which Maynard-Moody and Musheno (2003:10) define as "workers' adaptations of laws, rules, and procedures to the circumstances of cases." Because automatic client status in K to 12 schools and emergency medical services systems is federally mandated, bureaucrats have little ability to challenge students' eligibility for their services.

Part of public elementary schools' relatively positive response is also due to bureaucrats' professional interests—an internal variable intrinsic to local bureaucracies that is distinct from professional norms but that also influences how bureaucracies respond to demographic change (Jones-Correa 2008). Hispanic population growth increases schools' fiscal resources because states often fund schools based on average certified enrollment (Kandel and Parrado 2006). Teachers and administrators in Bedford and Wilcox counties reported that population growth has been beneficial in this respect, bringing in more money from federal and state funding sources that they can use to serve both native and newcomer students. However, Hispanic population growth also requires additional staff and programs (Kandel and Parrado 2006), so interest alone cannot account for the very strong and inclusive ways in which educational bureaucrats responded to Hispanic students—especially because these students' parents tend to have low levels of education, income, and English language ability and lack legal status, all of which elevate the costs of educating them. Indeed, Maynard-Moody and Musheno (2003) argue that self-interest cannot account for street-level

bureaucratic behavior more generally, because bureaucrats often choose to make their jobs harder, and even put themselves at risk, to help clients they deem morally deserving.

Indeed, a forceful client-serving ethic among public bureaucrats has been a stronger factor. As members of large service bureaucracies dedicated to the concept of education as a public good, many display an orientation toward Hispanic newcomers that supports shared norms about promoting equity and opportunity for education. For example, Nancy, an African American resource teacher and tutor in Weakley Elementary School, argued that Hispanic students “are our customers” to be served in accordance with a professional mission to educate all children. So not only does inclusive government policy define all Hispanic newcomers as automatic clients of public elementary schools, but many teachers and administrators also extend their strong client-serving ethic to include them. In Nancy’s words, this includes “greeting their parents with dignity and respect,” “saying the same” to them that she would to “all parents,” and actively encouraging them to come to PTA meetings and get more involved in their children’s educations.

That this inclusionary response is partly due to a strong client-serving ethic, as well as inclusive government policy, was also illustrated by Randy White, vice principal of Bedford Elementary School. In his view, public elementary schools are “ambassadors to the community” for Hispanic newcomers. When teachers and administrators do a good job incorporating Hispanic youth and their parents, they also fulfill public schools’ broader public service mission of strengthening and uniting the whole community, not just newcomers themselves. As White said:

If the school is an organization that supports [Hispanic children] and gives them everything that it possibly can, then it serves as an ambassador to the community. If those parents are convinced and feel that we are supporting their children and them in their being here, and that they are welcome and that we are treating them fairly and justly, and we are loving them and giving them everything that we can, then that’s a very positive thing.

Several parents of Hispanic children also noted the influence of a strong client-serving

ethic. Stephanie, a legal permanent resident from Guanajuato, Mexico, was a parent volunteer at Bedford Elementary School. When asked if she had seen or heard of any problems with teachers not understanding Hispanic students’ cultures, Stephanie responded in the negative. Instead, she described how the teachers not only accept Hispanic newcomers into their classrooms but also encourage multicultural learning by drawing on their cultural contributions, such as Mexican piñatas. This reflects current pluralist professional norms and missions in the U.S. public school system, not just simple bureaucratic tasks. Elena, a naturalized citizen from Michoacán, Mexico, also described teachers’ reactions to her two children in Wilcox County as not only positive but frequently proactive. In fact, she said that *teachers* were working the hardest to inculcate a positive vision of Mexican culture among youth:

The teachers want to show the children about Mexican culture, so they don’t forget it, and they asked me if I could help them. Because the teachers have seen that many children have gone to Mexico and have come back speaking bad about Mexico. “Oh, I don’t like Mexico. It’s ugly.” And the school is worried about that—that it’s bad, that we parents don’t teach them about our culture—and they want to teach our culture to the children. I like this school a lot because of that. Because I see them taking a lot of interest and supporting Hispanics. That makes me happy, so I said of course I would help.

In summary, public elementary schools’ relatively positive response to Hispanic newcomers in eastern North Carolina reflects inclusive, federally-mandated government policy that automatically defines all Hispanics as full clients of K to 12 schools. Yet it also reflects the strong bureaucratic culture of public schools, which, as near-“pure” service bureaucracies,⁵

⁵ Street-level bureaucracies are best viewed as falling along a continuum between “pure” service and “pure” regulatory ideal types. While all exhibit both service-oriented incorporative and regulatory-oriented gatekeeping functions, they nonetheless occupy different positions along the continuum. For instance, Horton (2006:2706) distinguishes between the more “service-oriented” roles of clinicians in

employ bureaucrats who come into frequent contact with newcomers, view and treat them as “customers” or “clients,” and therefore demonstrate significant responsiveness toward their interests (Brehm and Gates 1999). Of course, such institutional changes may happen slowly in rural new immigrant destinations. Jones-Correa (2005b) cautions that bureaucratic change, even in the best of circumstances, may not happen instantaneously. Moreover, a passive resistance to Hispanic students’ status as automatic or deserving clients among some K to 12 bureaucrats may dampen responsiveness, especially in the initial stages of immigration.⁶ Yet by and large, institutional changes were happening “slowly but surely” (Grey and Woodrick 2005:152) in eastern North Carolina’s public elementary school systems. These changes compared favorably to corresponding ones taking place in electoral politics and other local bureaucracies.

MIXED GOVERNMENT POLICIES AND INCLUSIVE PROFESSIONAL MISSIONS IN OTHER SERVICE BUREAUCRACIES

In eastern North Carolina, there is a large gap between Hispanic newcomers’ level of incorporation into public elementary schools versus their incorporation into higher educational institutions and various social welfare and non-

medical services agencies and the more “regulatory-oriented” roles of workers in contemporary social services agencies who work in lower-status jobs and have more direct control over the disbursement of scarce social benefits. As I show, public elementary schools lie closer to the pure service ideal type than do law enforcement agencies and court systems, even though all three are complex organizations that employ bureaucrats across a range of internal offices and roles (Brehm and Gates 1999).

⁶ In Wilcox County, respondents reported instances of Hispanic youth being “ignored” by teachers who could not communicate with them and relegated to the backs of their classrooms in the mid-1980s to early-1990s (see also Wainer 2004). In Bedford County, respondents reported instances of African American teachers mistreating Hispanic youth in the mid-2000s. However, respondents also reported significant improvement in educational bureaucrats’ responses to Hispanic youth over time, as immigration has increased, although there are still barriers to overcome.

emergency medical services agencies. Less inclusive government policies in the latter arenas, which weaken bureaucrats’ requirements and abilities to respond to Hispanic newcomers’ interests, explain much of the difference.

For example, in higher education, variation in government policies regarding undocumented immigrants’ eligibility for admission and receipt of public financial aid produce inconsistent access across states and localities. Since 2001, 10 states have modified their policies to allow undocumented students to attend public universities as “residents” under in-state tuition rates. By contrast, undocumented immigrants in the other 40 states, including North Carolina, must pay higher tuition rates as out-of-state residents (if they are allowed to enroll at all) and are prohibited from receiving public financial aid. This blocks their access to higher education in a way that is not done at the K to 12 level (Batalova and Fix 2006; Wainer 2004).

North Carolina had no strong, overarching government policy regarding the admission of immigrant students until recently, so educational bureaucrats had ample discretion to design and implement their own policies. In an internal memorandum passed through the state’s community college system in December 2001, educational administrators barred undocumented immigrants from enrolling in any degree-seeking program. Yet after another internal memorandum was circulated throughout the system in October 2004, they began to allow the 58 member community colleges to establish their own policies. By April 2005, significant variation had emerged, demonstrating a pattern of increasing responsiveness to undocumented immigrants’ interests. Almost one third (N = 20) of community colleges still denied undocumented students admission to degree-seeking programs, but the other two thirds (N = 35) elected to admit them, with a third of the latter (N = 12) drafting a written policy to this effect (NCSHP 2005).

Notably, it was not until after the outgoing president of the North Carolina community college system, Martin Lancaster, issued a new internal memorandum in November 2007 instructing all community colleges to accept undocumented students that a prominent elected official joined in the mix. Outgoing Governor Mike Easley issued a public direc-

tive in support of the November 2007 memorandum, mandating that undocumented students be allowed to attend all community colleges starting in 2008, albeit as out-of-state residents. The directive incited a public outcry throughout the state, and in response, community college personnel requested that the North Carolina attorney general's office review it. In May 2008, the attorney general reversed the directive, and, misinterpreting a federal statute to infer that higher education is a "public benefit" unavailable to undocumented immigrants, advised community colleges and universities to return to the pre-2004 practice of restricting all undocumented students from access to degree-seeking programs (Collins and Stancill 2008; Redden 2008).

Both the 2007 directive and its 2008 reversal illustrate the power of electoral bodies to influence undocumented immigrants' patterns of incorporation into bureaucracies. In 2007, government policy (coming from the governor's office) forcefully confirmed and expanded immigrants' access to all of the state's community colleges, and employees of colleges that did not already accept undocumented immigrants announced they would immediately begin to "honor the system's directive," despite some personal objections (Stancill 2007). Simultaneously, however, the policy discouraged higher educational institutions from responding to undocumented immigrants' interests by continuing to categorize them as out-of-state residents—which had long deterred many by subjecting them to tuition rates roughly five to six times higher than those of in-state residents. Finally, in 2008, government policy (this time coming from the attorney general's office) was reversed to restrict undocumented immigrants' access to all degree-seeking programs in community colleges, despite the trend toward inclusiveness seen among educational bureaucrats in the previous five years. In response, the North Carolina community college system announced that it would immediately cease admitting undocumented immigrants to degree-seeking programs (Redden 2008), continuing a practice of "follow[ing] the rules set down for us" in setting admission policies (Collins and Stancill 2008).

In these ways, government policies restricting undocumented immigrants from qualifying

for in-state resident status, and then from pursuing degree-seeking programs in community colleges, have forcefully defined many Hispanic youth as nonclients of the state's higher educational institutions. This weakens bureaucrats' abilities to respond as inclusively as their counterparts in K to 12 schools. Yolanda, an undocumented youth, remarked that even though some teachers and administrators may want to admit undocumented immigrants into their colleges, restrictive government policies prevent them from doing so:

I had interviews with people and called people on the phone and talked to my counselor and all. But we just could not . . . I could not get anybody to let me in. But it's not their fault. They're just abiding by the government rule. And even now that rule is still there.

Consequently, undocumented youth's successful incorporation into higher educational institutions hinges on extremely service-oriented individuals working within or at their margins. Zúñiga and Hernández-León (2005:xix) identify these individuals, including public educators and religious leaders, as potential "liaisons" between immigrants and community institutions.

To illustrate, even before the November 2007 memorandum, a few undocumented students were able to attend schools that prohibited their enrollment and received financial assistance to do so. This was only the case, however, if one or more bureaucrats were willing to defy government policy and enroll them or offer them financial aid despite their undocumented status (see also Wainer 2004). These bureaucrats engaged in what might be termed "bending the rules" to fit the circumstance (Maynard-Moody and Musheno 2003), civil disobedience, "bureaucratic sabotage" (Brehm and Gates 1999), or even "guerrilla government" (O'Leary 2006) when their service-oriented ethical obligations sufficiently influenced their sense of "the right thing to do" for their clients or institutions (Maynard-Moody and Musheno 2003). Similarly, according to Helga Mattei, Director of the North Carolina Community College System's (NCCCS) Hispanic/Latino Initiative, even before the October 2004 memorandum allowed individual community colleges to elect to admit undocumented students, "a few community colleges in North Carolina weren't ask-

ing if students had undocumented papers or not” but were still enrolling them (fieldnotes, January 19, 2004). Perhaps this occurred because some bureaucrats saw undocumented immigrants as deserving clients, in accordance with a professional mission that views education as fundamental to all members of the community, and sometimes even as a “human right” rather than one defined by national governments (see Dunn et al. 2005). Either way, it was likely a conscious decision on these bureaucrats’ part since it put them in clear violation of government policy at that time. As Mattei explained, “When authorities realize that students in the colleges are taking classes and getting credits for them, without papers, there can be problems.”

As another example, Yolanda described how she was eventually admitted into a four-year university and awarded some financial aid despite her undocumented status. Her entry was facilitated by a preacher (who, in contrast to restrictive government policy, viewed her as a deserving client) and an admissions officer (who, after some initial hesitation, also came to view her that way). Both actors saw some benefit in helping Yolanda attain a college education. Perhaps they envisioned the individual benefits that Yolanda would gain from attending college, or looked to the broader public service mission that they believe higher educational institutions provide to communities. Some Bedford community college personnel demonstrated evidence of both potential viewpoints during a heated state legislative battle over extending in-state resident status to illegal immigrants in 2005. They argued that accepting undocumented immigrants demonstrates a strong commitment not only to individual students, but also to the normative concept of public education, and by extension, total community well-being:

One staff member put it succinctly, saying that a community college exists to serve its residents; in his opinion, regardless of legal immigrant status, if a person is a Bedford County resident, he or she should be eligible for student status in this community college, including in-county tuition. Other supportive comments pointed out North Carolina’s historic commitment to public education, particularly public higher education; also the obvious value to a community of developing an educated, income-producing population, regardless of legal status. Whatever frustration there may be among the local populace concerning illegal immigrants,

these educators seemed to regard their mission to teach as something separate, beyond any national debate. (post-fieldwork notes, April 2005)

Finally, while the North Carolina community college system complied immediately with the attorney general’s restrictive 2008 directive prohibiting undocumented youth access to degree-seeking programs, the state’s public university system has so far resisted, stating that it will not change its policy until it receives “further clarification of federal law” (Collins and Stancill 2008). Beneath this request for clarification lies a strong professional orientation toward the needs of potential immigrant clients, including a view of the larger mission of public higher educational institutions as best “serving the state during a changing economy” and a desire to avoid creating “another permanent underclass” (Collins 2007). Many bureaucrats in the state’s community college system share this inclusive professional orientation, despite the fact that the 2008 directive prevents them from acting on it directly. At a conference in June 2008, three county community college directors voiced their strong disapproval of the directive, vowing to “press forward to change it” and highlighting their will to “remain committed to the mission of democratization of higher education,” “increase access to education,” “help a whole community by helping one person,” “facilitate upward mobility and skill training,” and “do more to serve residents of eastern North Carolina in the future” (post-fieldwork notes, June 2008). They even speculated that the state-level community college system director may have gone along with the directive not out of agreement with it, but rather out of a desire to protect the system’s remaining undocumented students who are enrolled in non-degree-seeking programs (e.g., GED classes, ESL courses, and classes for high school credit) from an even harsher attack.

Together, such examples illustrate how government policies fundamentally structure both the degree and the pace of higher educational bureaucrats’ responses to Hispanic newcomers, particularly undocumented ones. Lacking the same strong incentives encouraging responsiveness that inclusive government policy mandates in K to 12 schools, higher educational institutions have responded more slowly to demographic shifts in their client bases. Still, some bureaucrats working within these institu-

tions envision Hispanic newcomers, including undocumented ones, as worthy clients to be served in accordance with strong service-oriented professional missions. During tense moments when restrictive government policies collide with their sense of the “right thing to do,” they interpret, bend, and sometimes even break those policies to rationalize their judgments and facilitate newcomers’ incorporation.

Similar patterns emerge in social welfare and nonemergency medical services agencies, although I only present selected data due to space limitations. Here, a variety of government policies prohibit or discourage institutional responsiveness by requiring U.S. citizenship, a social security number, or proof of at least five years of legal residency to be defined as worthy clients. This severely dampens responsiveness, compared with that in schools, because, according to Silvia, a bilingual prekindergarten parent educator in Bedford County who used to work at the Department of Social Services, “schools have to take you whether you’re legal or not.” More restrictive government policies in social welfare agencies also amplify some bureaucrats’ regulatory roles—something I discuss in the next section—and legitimate their views of Hispanic newcomers as “undeserving” clients to be regulated, rather than deserving ones to be served:

Interviewer: Do you think schools do a better job incorporating Hispanics?

Silvia: Oh, yeah. I think because they have no choice. [laughs] Number one, the schools have to take you whether you’re legal or not. In Social Services, they don’t. Of course, if you have legal papers to be here—or if your child is born here and is considered American, even if you’re not legal—Social Services have to assist you. I went today to Social Services with someone, and she’s not here legally but her child qualified because he was born in this country. So they couldn’t do nothing. They may not like it, but it’s that they have to.

Strong client-serving professional missions among some bureaucrats working in these agencies produce creative efforts to respond to newcomers’ needs. This is most often seen in what Dunn and colleagues (2005) call “nonregular” charitable and safety-net healthcare institutions, which bear most of the costs of uncompensated care (Ku and Papademetriou 2007). In contrast, research shows that local departments of social services, hospitals, ambulance services, and “regular” medical clinics have been slow-

er to respond to Hispanic population growth. Dunn and colleagues (p. 170) believe that the actions of nonregular healthcare institutions indicate “a growing willingness among local residents and organizations to provide at least some meaningful healthcare assistance” to Hispanics, despite government policies’ categorization of many of them as nonclients ineligible for nonemergency medical services.

Furthermore, as in higher educational institutions, bureaucrats promoting creative outreach often cite a public service mission to improve the well-being of their larger communities.⁷ William, an employee of a nonregular public health institution near Wilcox County, reported that he and his coworkers were not yet willing to risk violating government policy to hire undocumented immigrants as employees. They were willing, however, to bend, and sometimes break, government policy to serve undocumented Hispanic clients by accommodating their need to use two names (i.e., their real names and their false names under which they are often employed). Without such accommodation, William and his coworkers worried that undocumented immigrants would have trouble leaving work to access their services, endangering the organization’s professional mission to improve community health.

Of course, as Victoria, an immigrant from Veracruz, Mexico, described, not all medical services providers were willing to put themselves at risk by violating government policy this way:

A friend of mine just lost her baby. But she was working under another false name. And so the doctor wouldn’t let [her] put down her false name based on the papers that she gave him. And so my friend told me, “They’re going to fire me at work. Because I don’t have papers, and how am I going to prove my absence from work?”

⁷ Cacari Stone (2004) describes tensions that restrictions against serving noncitizen immigrants, imposed by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, generated among front-line public health workers in New Mexico. Many workers emphasized a “public health perspective” grounded in language of universal human rights and community population health, professing “a mission to serve all.” At least one physician reported defying the restrictions, saying, “I gave an oath to help people, regardless of citizenship.”

The fact that some providers were willing to bend the rules demonstrates just how powerful service-oriented professional missions can be, and how they can facilitate bureaucratic responsiveness *before* an electoral shift. In Alamance County, in the central piedmont region of the state, county officials ordered a sheriff's investigation of the county Department of Health when they heard that some bureaucrats were accepting undocumented immigrants' false names in order to provide them care. Ultimately, two healthcare bureaucrats were suspended, an undocumented immigrant whose medical records showed she had received prenatal care there two years prior was ordered deported with her family, and a fight broke out over medical privacy rights and the appropriate role that health providers should play in assisting undocumented immigrants in accessing medical care. While the president of the North Carolina Medical Society joined in the debate by emphasizing the confidentiality of medical records as a "central tenet" of healthcare providers' code of ethics and the importance of serving undocumented immigrants in improving community health (Callaway 2008), Alamance county commissioners passed a resolution to prohibit the county Department of Health from offering nonemergency services to undocumented immigrants (Collins 2008c). Such service-inspired efforts to incorporate immigrants into social welfare and medical services bureaucracies, like efforts in higher education, may still appear "exceptional" in the face of restrictive government policies; but they are instructive when they depart so starkly from elected officials' responses.

MIXED GOVERNMENT POLICIES AND MIXED PROFESSIONAL MISSIONS IN SERVICE AND REGULATORY BUREAUCRACIES

Law enforcement and court systems did not respond as quickly as public elementary schools to Hispanic newcomers, but they were more responsive than elected officials. Again, less inclusive government policies account for much of the difference. In law enforcement agencies, government policy prohibits noncitizens from working as officers. In courtrooms, newcomers are sometimes, but not always, entitled to a state-funded interpreter free of charge, depending on whether the case is being tried in civil or

criminal court. Furthermore, the Legal Aid Bureau (a principal legal resource for low-income people) is prohibited from taking undocumented immigrants as clients (Dunn et al. 2005). Hispanic newcomers are sometimes eligible to obtain a driver's license, but government policy in this arena has become more restrictive.

Law enforcement agencies and court systems also suffer from the contradictions in professional goals and missions faced by other bureaucracies that combine service with strong regulatory roles (Brehm and Gates 1999; Derthick 1979; Jones-Correa 2005b). While law enforcement officers have service missions to protect all individuals who fall under their jurisdiction, they also have regulatory missions to investigate crimes and enforce rules. Similarly, while court personnel have service missions to give equal and quality protection to all individuals who appear before them, they also have regulatory missions to deliver evenhanded judgments against all individuals accused or convicted of crimes. Indeed, Maynard-Moody and Musheno (2003:39–40) point out that while teachers, social service workers, and police officers all share the core (and sometimes competing) features of street-level bureaucratic work, law enforcement officers occupy the most regulatory space because they are uniquely "authorized to employ the state's coercive power." In eastern North Carolina, legal bureaucrats' service missions constantly compete with their regulatory ones, creating strong internal contradictions within the "core mission" of law (Zezima 2007). This ultimately dampens their responsiveness toward Hispanic newcomers' interests.

Wilcox County sheriff Gregory Dodson illustrates these competing missions in law enforcement. He noted that having Spanish-speaking officers not only improves the level of protection law enforcement officers can provide to innocent Hispanic members of the community, but it also helps the police do their job in catching Hispanics who have committed crimes. While he did not oversee any Hispanic sheriff deputies in 2003 to 2004, primarily due to government policy that prohibits noncitizens from working as officers, he supported the idea of recruiting more Hispanic sheriff deputies to help his agency reach out to Hispanics in the community and fulfill its multiple professional roles:

Hispanics are a large part of our population now, and they are routinely victims of crimes. They're also suspects of crimes. They use the court facilities just like other citizens do. So I would venture to say there's not a law enforcement officer in the county who doesn't deal with them on a regular basis. . . . I would love to be able to recruit some Hispanic employees. I've had two apply since I've been here. One was offered a higher-paying position in a larger town. The other was not a naturalized citizen. He would have made a very good employee, but here in North Carolina by training standards laws, they have to be a citizen here to be sworn into that position. Although I think ideally the officers should mimic the general population of the county. Because it would be very helpful to have someone of a Hispanic background going into these situations where the people are primarily Hispanic. It's common sense.

Court personnel illustrate similar competing missions. Ashley, the state-level director of the foreign-language interpreter certification program run by North Carolina's Administrative Office of the Courts, noted that having appropriately trained and certified interpreters not only improves the quality of service that court personnel can provide to their non-English-speaking clients—thereby fulfilling a professional service mission of ensuring that immigrants' "access to justice is not impeded"—but also helps the courts make even-handed judgments—thereby fulfilling a regulatory mission, too. Additionally, she noted that having appropriately trained and certified interpreters fulfills court personnel's professional interests by ensuring that all court procedures are followed properly, which protects decisions from subjection to appeals and reversals. Ashley thought that these mutually reinforcing benefits explain why a "surprising" number of court personnel throughout North Carolina actively seek her help to improve translation and interpretation services in their courtrooms, despite some "bad apples."

In both institutions, however, the regulatory mission of enforcement ultimately competes with that of customer service, weakening legal bureaucrats' abilities to respond to Hispanic newcomers' interests. For example, instead of citing good or neutral relations with law enforcement officials within a service-oriented context of protection, many Hispanic respondents cited poor relations within a regulatory-oriented context of enforcement, including reports of being unjustly, if not discriminatorily,

targeted for "driving while Mexican." Elena, the immigrant from Michoacán, Mexico, quoted earlier as perceiving a lot of support from elementary school teachers in Wilcox County, described significant tension between the instances in which "good" law enforcement officers protect Hispanics they deem to be worthy and incidents in which "bad" officers discriminate and regulate Hispanics they unfairly deem to be unworthy:

Elena: I've realized that if you are Hispanic, they pull you over and they say, "Driver's license." And they don't just stop you because you were driving bad. About a year ago I was driving home from a funeral at about 1 a.m. And when I came through Williamsburg I took a drink of my soda. There was a highway patrolman there, and immediately he came out on the road, started following me, and waved me over. I was driving fine, at the speed limit, all okay. When he asked me for my license, I asked him back, "Why did you stop me?" He said, "Your license." And so I gave him my license. He said, "No beer?" I said, "No, no beer. Only soda." Then he said, "Oh, okay. I thought you were drinking and driving." And I said, "Right. But if I didn't have a driver's license, you would have given me a ticket." And he told me, "I'm sorry." And that really bothers me. They see a Hispanic, and they stop you. Why? Because they suspect your driver's license isn't valid. And many other people have told me that police stop them just for being Hispanic.

Interviewer: So you have not had a very good relationship with police here?

Elena: No! Honestly. Although the police here in Wright are great. Like now they know me, and they say hello to me, and I say hello to them. They have never pulled me over to ask for my license. And another time, some stranger came over here to my trailer and stopped his car in the driveway. I think he was the same Hispanic who had [committed identity theft against me] earlier, so I called 911 and the police came immediately. So for me, the police here are good in Wright. But the experiences that I've had with the police in Williamsburg are pretty bad.

This regulatory mission produces significant distrust toward U.S. law enforcement officers among Hispanics like Elena, who feel ambivalent about whether they are being accepted into local community life as valued residents to be served and protected.

In court systems, several respondents also reported insufficient and slow responsiveness to demographic change. Those respondents who acknowledged some degree of service missions among local court personnel nevertheless

thought that they, like law enforcement officers, focused disproportionately on enforcing and regulating Hispanics' behavior, at the expense of establishing good relations and service. For example, Octavio, an undocumented immigrant from Sinaloa, Mexico, reported that unfriendly and unhelpful court personnel did not take adequate steps to offer quality interpreting services to Hispanics in Bedford County. In turn, this made them feel unworthy and unattended when they went into court:

You always feel like a small rat in court. You arrive in there, and you have no idea what is going on. You don't understand anything, you are just standing there like a small rat that doesn't understand anything. They are saying all these things to you, but you don't understand anything. Like they tell Hispanics, "Blah blah blah blah blah . . ." I tell you, who knows what that means? They need somebody in there, who can interpret for you. And there isn't one. You have to bring your own, like a friend, or you have to pay for one.

I consider respondents' descriptions of such incidents to be valid because I personally witnessed several occasions in which court personnel treated Hispanics poorly—for example, when court personnel assumed a regulatory role in trying to "catch" Hispanics whom they thought were trying to "trick" them into showing leniency by pretending to not speak or understand English. As in law enforcement, court personnel's actions reduce newcomers' feelings of trust and incorporation into local legal bureaucracies by making them feel more regulated than served. Consequently, the efforts of some legal bureaucrats, like Gregory Dodson and Ashley, to respond inclusively to newcomers are being hindered, producing weaker forms of incorporation than those evident in schools.

Finally, two notable sets of recent changes in government policy have hindered local bureaucracies' responsiveness to newcomers' interests even further; first, by defining more Hispanics as automatic nonclients, and second, by requiring legal bureaucrats to abide more by the regulatory than the service missions of their jobs. The first set of changes restricts many Hispanic newcomers' eligibility for obtaining a driver's license in North Carolina. In February 2004, the Mexican national identification card (*matrícula consular*) and all birth certificates issued outside the United States, Puerto Rico, or Canada were restricted from the list of qualify-

ing identification documents; in August 2006, the individual tax identification number was further prohibited as an alternative to a social security number. The second set of changes makes Hispanic newcomers more vulnerable to everyday law enforcement surveillance through the "cross-deputization" of state and local law enforcement officers as federal immigration agents. While cross-deputization was first authorized by the 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), which added Section 287(g) to the Immigration and Nationality Act, it was strengthened by federal immigration law enforcement acts in 2003, 2005, and 2006.

While these two sets of policy changes deserve more detailed discussion than can be provided here, many Hispanic newcomers in eastern North Carolina viewed both as strong reasons to distrust local legal bureaucrats, even more than they already did (see also Weissman et al. 2009). Carmen, a bilingual assistant district attorney in Wilcox County, reported that prior to 2004, court officials already had trouble convincing Hispanics to report crimes to law enforcement officials or to comply with court officials. This was especially worrisome to her in cases of domestic abuse, because undocumented immigrant women fear being deported or separated from their children if they seek legal assistance. Several Hispanic respondents (including all of those who were employees of local legal bureaucracies) argued that the new restrictive policies had made it even harder for legal bureaucrats to build trusting relationships with Hispanic clients and, therefore, more difficult for legal bureaucrats to do their jobs optimally.

Felipe, a 1.5-generation legal permanent resident from Oaxaca, Mexico, described this growing problem regarding the 2004 driver's license changes:

It's really going to hurt a lot of Latinos, because a lot of us commute to work. I mean, I used to have an hour and a half commute to get to work! So honestly, I think people are still going to drive, but it'll just make them drive now without a license. And also there will be a better chance that somebody that has no clue what a stickshift is, or they don't know what cruise control is, and they just get in a car and get in a wreck. And there will be a better chance that they will hurt themselves or somebody else. Honestly, I think it's just a dumb law. It'll make everybody hate each other, too. I mean,

like if Latinos didn't trust the police before . . . like if I didn't trust you before, I don't even want to see you now!

Marco Ramírez, an island-born Puerto Rican schoolteacher who was instrumental in promoting improved relations between Hispanics and law enforcement officers in Bedford County, discussed this growing problem regarding cross-deputization. At the time of our interview, Ramírez was hoping that the restrictive CLEAR Act of 2003 would not pass, precisely because some local police officers he knew were against it, fearing it would reverse important gains they had recently made in developing trust with Hispanics in the community:

They do not want the border control's job of immigration enforcement and are mad that they are now being asked to do so. They are saying, "Screw you, INS. We have spent a lot of resources and time to win the trust of immigrants in these areas, and we're not going to turn around now and mess that up."

These increasingly restrictive government policies concerning driver's licenses and cross-deputization discourage incorporation, especially of undocumented immigrants, both by defining new rules that directly prohibit service-oriented responsiveness to Hispanic newcomers' interests and by indirectly enhancing legal bureaucrats' regulatory missions.⁸ As of February 2009, seven North Carolina county sheriff departments were enrolled in cross-deputization programs, as was the Durham City police department, whose Hispanic chief holds "a perspective on immigration [that] balances the need to protect the public from dangerous illegal immigrants with the imperative to gain the trust and cooperation of all city residents, including undocumented aliens" (Schwade 2008). Mounting evidence shows that cross-deputization, by enhancing law enforcement officers' regulatory over service missions, has

begun to negatively affect the noncriminal undocumented immigrants that the police report a service mission to protect. Deportation proceedings in Mecklenburg County (where Charlotte is located) have begun against 4,333 illegal immigrants, "even though approximately 90 percent of these 'tough, hardened criminals' were snared by misdemeanor arrests" (Schwade 2008). In 2007, only 64 of the 434 people who were processed for deportation in Alamance County were charged with felonies, while 302 were arrested on traffic violations (Collins 2008b). And in May 2008, 83 percent of the immigrants arrested by cross-deputized officers in Gaston County (also in the central piedmont) were charged only with traffic violations (Weissman et al. 2009).

Of course, some legal bureaucrats in law enforcement agencies, court systems, and DMV offices still exhibit service-oriented missions toward Hispanic newcomers, as both Carmen and Marco Ramírez illustrated (see also Winn 2007). In 2003 to 2004, they argued against the restrictive policy changes and worked creatively to promote responsiveness within the bounds of existing policies as best they could. Nonetheless, in contrast to higher educational and nonregular medical institutions, where I uncovered a few notable cases of bureaucrats defying government policies and serving Hispanic clients in accordance with strong service-oriented missions, very few legal bureaucrats seemed able (or willing) to do so. The only instance of policy violation among DMV bureaucrats I found came second-hand and was unconfirmed.⁹ In short, service-inspired defiance of government policies in any institution takes effort and entails risk, even for the clients deemed most morally worthy. In law enforcement and court systems, it may carry even greater risk, not the least of which is symbolic for bureaucrats who have devoted their profes-

⁸ In January 2007, the North Carolina Sheriff's Association (the nonprofit agency responsible for administering cross-deputization funds in North Carolina) illustrated its enhanced regulatory mission when it sent a resolution to state and federal legislators calling for increased resources to cross-deputize local and state law enforcement officers, with the goal of participating in a collective mission to deport all illegal immigrants from the state.

⁹ In January 2004, Lidia, a prominent Hispanic political and community leader from Oaxaca, Mexico, reported that DMV bureaucrats were resisting the driver's license changes somewhere in the central piedmont region of the state. "Maybe it was in Carboro, but I can't remember where it was they've stood up to this. They have said they will accept the *matrícula consular*. So it can be done."

sional careers to upholding existing laws and are influenced by strong regulatory, as well as service, missions. Even legal bureaucrats driven by strong service-oriented missions found it extremely difficult and risky to battle restrictive trends in government policies.¹⁰

CONCLUSIONS

The characteristics of Hispanic newcomers in rural southern new destinations (including relatively low levels of education, high levels of poverty and political inexperience, and high proportions of recent and undocumented migrants) combine with severe resource disadvantages to depress their opportunities for achieving political incorporation, especially via descriptive representation. Traditional political incorporation theories predict that Hispanic newcomers will have even fewer opportunities for achieving substantive responsiveness in local bureaucracies because political "principals" wield substantial control over their bureaucratic "agents." Indeed, an enormous body of historical research documents African Americans in the Jim Crow South and Mexican Americans in the Southwest experiencing various forms of bureaucratic disenfranchisement in elementary schools, universities, hospitals and clinics, social services agencies, and law enforcement agencies, in line with the generally conservative cultural mores of their communities.¹¹ Such

disenfranchisement was a major reason why leaders of these racial/ethnic minority groups targeted federal electoral politics and courts during the Civil Rights Movement. They hoped that responsiveness could be enforced, from the top down, onto resistant state and local politicians, and, by extension, their bureaucratic arms.

I have shown, however, that in 2003 to 2004, natives working in eastern North Carolina's public bureaucracies responded to Hispanic newcomers in ways that demonstrated *greater*, not less, substantive responsiveness to their interests than did local and state politicians. Moreover, those working in the most service-oriented bureaucracies, such as schools and non-regular medical services agencies, acted in the most responsive ways, trailed by those working in bureaucracies that combined service with stronger regulatory missions and roles.¹² I concur with Lewis and Ramakrishnan (2007) and Jones-Correa (2005b, 2008) that these patterns are indeed partially determined by bureaucrats' internal professional missions. Yet I argue that these patterns are also partially determined by external government policies, which have the power not only to "control" bureaucrats' behavior directly by defining the basic institutional "rules of the game" for including versus excluding Hispanic newcomers, but also to "influence" bureaucrats' behavior more indirectly by shaping their conceptualizations of their professional roles and responsibilities.

Viewed from the perspective of immigrant incorporation theories, my results suggest that Hispanic newcomers are indeed undergoing a process of bureaucratic incorporation. This is occurring even in extremely resource-poor rural counties where severe financial constraints

¹⁰ These restrictive trends continue today. DMV laws similar to North Carolina's 2006 law have passed in 42 states, and full implementation of the federal REAL ID Act of 2005 was required in all 50 states by May 2008 (Collins 2008a). As of February 2009, at least 20 new North Carolina law enforcement agencies had requested to cross-deputize (Weissman et al. 2009).

¹¹ In the Jim Crow South, African Americans' bureaucratic disenfranchisement was so thoroughly interconnected with local political disenfranchisement that the two are difficult to disentangle. Bureaucrats' professional norms toward African Americans displayed relatively weak service orientations. In the early-twentieth century, evidence shows local relief officials and social welfare advocates exhibiting strong service orientations toward European and Canadian immigrants, but a strong regulatory orientation toward Mexican Americans, especially in the Southwest (Fox 2007; Ngai 2004).

¹² The contrast with the historical evidence for African Americans in the Jim Crow South and Mexican Americans in the Southwest raises intriguing questions about what demographic, structural, and cultural factors might create conditions ripe for the activation of service versus regulatory missions among bureaucrats. Such factors (including major shifts in government policies and the fact that Hispanics are not the South's historic minority group) may help explain why contemporary rural southern bureaucrats' orientations toward Hispanic newcomers appeared more inclusive than their predecessors' visions of African Americans or past southwestern bureaucrats' visions of Mexican Americans.

depress bureaucrats' abilities to act autonomously and inclusively (Jones-Correa 2008; Lipsky 1980; Meier and O'Toole 2006). In rural America, responsiveness to Hispanics' interests is being initiated not by elected politicians, but by bureaucrats who come into frequent contact with newcomers and consider their professional roles to be centered on dispensing resources in the name of promoting equity and community well-being. Still, this process of bureaucratic incorporation is not occurring independently, but in interaction with traditional political incorporation. Some of the inclusive government policies that affect bureaucrats' behaviors today—such as *Plyler v. Doe* in K to 12 schools, EMTALA in emergency medical services agencies, the required use of certified interpreters and translators in various public bureaucracies, and even the United States' *jus sanguinis* citizenship policy, which automatically grants citizenship to all persons born within U.S. territory—are products of past efforts by racial/ethnic minority groups and their coalition partners to achieve substantive electoral responsiveness. Likewise, some of the inclusive, service-oriented professional norms that affect bureaucrats' behaviors today—such as ideals of pluralism and diversity in schools and the ideal of community policing in law enforcement—have grown out of past electoral political pressures (Lewis and Ramakrishnan 2007). In these ways, bureaucratic responsiveness to Hispanic newcomers in eastern North Carolina is simultaneously the product of, and a likely driving force toward, greater electoral responsiveness.

Viewed from the perspective of theories on bureaucracy, my results challenge the literature's view of direct bureaucratic responsiveness to clients as predominantly "dangerous" to democratic governance, since politicians are given oversight over bureaucrats precisely to ensure that the latter do not deviate from the will of their publics. While some scholars have identified a positive and redistributive role for bureaucratic discretion, most continue to view it as negative and worry about its potentially unequalizing effects (Brehm and Gates 1999; Keiser and Soss 1998; Lipsky 1980). Street-level bureaucrats can certainly resist politicians' efforts to encourage responsiveness to immigrants' needs and interests, such as when DMV bureaucrats in New York defied former Governor Eliot

Spitzer's proposal to allow undocumented immigrants to obtain driver's licenses (Hakim 2007), or when county hospital providers in Morristown, Tennessee stopped filing citizenship paperwork for babies born to undocumented immigrants (Winders 2008). But I found that the most service-oriented street-level bureaucrats represent bureaucratic discretion working in the opposite direction. Their actions force us to critically reengage one of the central questions in the literature on democracy, citizenship, and immigration: Do immigrants (especially undocumented ones) make up part of the public to which elected officials, and ultimately, bureaucrats, are held accountable? If some bureaucrats are answering this question in the affirmative before either elected officials or other native members of the public, it is time to reconsider bureaucrats' roles as active facilitators of responsive democratic functioning.

This is a picture of bureaucratic incorporation in one rural new destination state, and even though I draw on case studies in other new destination states to support my argument, appropriate caution is needed when moving the comparative research agenda forward. It is certainly possible that state and local politicians in other places could respond to Hispanic newcomers, including undocumented ones, earlier, more responsively, or in ways that produce greater principal-agent alignment than what I uncovered in eastern North Carolina. Indeed, emerging research stresses the significance of both individual political leadership and local governance structure to politicians' "setting [of] an inclusionary or exclusionary course" toward immigrant incorporation in their communities (Brettell 2008:78; Odem 2008; Price and Singer 2008). Therefore, intriguing questions remain regarding not only what demographic, structural, and cultural factors might create conditions ripe for the activation of strong service or regulatory missions toward Hispanic newcomers among bureaucrats, but also which conditions might promote the activation of inclusionary or exclusionary stances toward Hispanic newcomers among politicians.

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