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Regularly Irregular?
The Case of Digital Nomads

*Digital nomads*¹ or transnational remote workers, represent an intriguing case for our understanding of contemporary human mobility. These individuals are undoubtedly on the privileged side of the global mobility spectrum; they mostly possess passports granting visa-free access to many states and have sufficient capital to travel globally. They are usually middle-class, university-educated individuals from the Global North, with the necessary skills to engage in remote work: software development or website creation, but also marketing or language teaching, among many others.

Still, *digital nomads* often operate in what can be described as a 'grey zone' of migration in terms of regularity: despite the existence of several digital nomad visa schemes, which I will refer to later in this article, most *digital nomads* travel on tourist visas, staying in different locations for short periods of time, e.g., less than a year. In doing so, they regularly violate immigration and labor regulations since they work while holding visas that do not entail the possibility of working, regardless of whether their employer is based abroad. However, *digital nomads* rarely face the penalties that other irregular(ized)² migrants are subjected to. This article explores how *digital nomads* are 'regularly irregular' and what this reveals about the hierarchized, racialized nature of state approaches to mobility and its control. In doing so, it suggests the need to undertake several 'des': *deconstructing*, *decolonizing*, *deracializing*, *demigrantizing* (ir)regularity.

¹ It is important to critically approach the term *digital nomad*, which was first coined in 1997 by Tsugio Makimoto, in at least two ways. Firstly, it is a faulty analytical tool *since digital nomads* and *digital nomadism* have been used as catch-all concepts for all kinds of remote workers. Secondly, this concept exerts a type of symbolic violence in appropriating *nomadism*, a mode of life that has been targeted by the modern state in its attempts to bolster sedentarism and control human mobility. Nomadism has also been romanticized in literature and fiction writing, music, film, and other types of media due to its alleged ethos of freedom. In uncritically calling them *digital nomads*, there is a risk of further exoticizing nomadism while erasing actual histories of violence that still occur nowadays. However, I use *digital nomads* in this essay due to its academic currency and in order to refer to transnational remote workers who utilize their location independence to travel while voluntarily working remotely.

² By using *irregular(ized)* instead of simply *irregular*, I seek to emphasize that regularity is not an essential characteristic of an individual but rather a process: nobody is born irregular, but rather becomes one, with this being a dynamic category. In many cases, it is the state that renders someone irregular through legislative changes. I use this term over *illegal* or *illegal(ized)*, which are both highly stigmatizing concepts and often legally inaccurate, for irregularity is usually solely an administrative infraction.

Racialization, class, citizenship, and irregularity

Drawing from critical migration and race studies, I suggest that racialization³, class, and citizenship shape whether irregularity is prosecuted. Here, whiteness⁴ is conceived as a form of privileged racialization; as Sarah Ahmed would put it, an ordering 'orientation' *of* and *in* the world (2007). Together with class, understood here reductively as socioeconomic status and citizenship, race/racialization creates different experiences of mobility 'friction', as Mancinelli and Holz would put it (2024), which is essential to the ways individuals' mobilities are controlled, surveilled, intercepted, or bolstered by states depending on one's racial and economic positioning.

To do so, I draw from ethnographic fieldwork conducted in Zadar, Croatia, throughout April and May 2023. While the focus of this fieldwork lay elsewhere –on the impact of digital nomadism on the local community– it revealed key insights about how Croatia's migration bureaucracy selectively enforces (im)mobility regulations.

A Promised Land for Digital Nomadism? Croatia as a Case Study

Croatia has been an EU member state since 2013, while it only acceded to the Euro and Schengen zones in 2023. Hence, it maintains a 'double border' –state and Schengen– with Bosnia and Herzegovina⁵, with documented reports of border violence and unlawful pushbacks against people on the move. Simultaneously, the country's 2020 amendment of the Law on Foreigners had notable effects in immigration terms: it relaxed the workplace foreigner cap to allow employers to attract labor power and address shortages, while it also established a 'digital nomad visa', or a temporary residence permit allegedly designed for digital transnational remote workers. While Croatia was not the first to enact such a policy, it was pioneering in Europe and one of the first globally, with many states following suit.

These digital nomad visas have different policy designs and objectives: attracting a talented workforce, catering to wealthy individuals, or bolstering tourism. Croatia's digital nomad visa arguably falls under the last category, with many arguing that it was more of a marketing stunt than a substantive policy. Announced through a picture of the country's Prime Minister Andrej Plenković with the entrepreneur Jan de Jong, a resident of Split with Dutch origins, Croatia's digital nomad visa is ill-conceived: it requires a minimum of nine months per year in the country with a maximum of 90 days outside, conditions that challenge the hypermobile lifestyle, digital nomadism, it purports to target and accommodate.

³ Racialization understood as a social process through which people are marked, categorized, and treated based on perceived racial features that can include skin color, religion, language/accent, attire, etc.

⁴ Not in essentialist terms of skin color, but whiteness as a racialized social construct that constitutes a marker of that which is to be understood as a privileged standard against which other populations are compared; in Sylvia Wynter's or Alexander G. Weheliye's fashion, the standard of 'Man'.

⁵ This is incidentally an interesting case of *rebordering* of a historical, imperial border, where there had been *debordering* in Yugoslav times. It is this very *rebordering* that is a precondition for Croatia's *debordering* with the rest of the Schengen Area, cementing Fortress Europe while lifting mobility restrictions with the rest of EU countries, and in so doing, disrupting socioeconomic systems around northwestern Bosnia and Herzegovina and the city of Bihać, among others.

Rather than addressing digital nomad mobility patterns through a more flexible policy design, this digital nomad visa signals the state's interest in attracting perceived high-consuming, non-problematic remote workers, depicting how the modern state acts as a neoliberal, entrepreneurial actor. Notably, in its attempt to attract consumption, it steers clear of levying income taxes, engaging in competition with other states to cater to transnational remote workers, and tailoring state policies to the needs of digital nomads rather than requiring them to conform to existing regulatory frameworks. It could indeed be argued that they prioritize digital nomads' interests over those of tax-paying nationals. Also, Croatia's digital nomad visa provides no pathways to extended residence permits, curtailing the country's ability to draw know-how and skills into the country.

The Grey Zone of Privileged, Unprosecuted Irregularity

The majority of *digital nomads* flock to Croatia on tourist visas, coming from the Global North and thus being granted 90-day residence permits. According to data released by Croatia's Ministry of Interior, Russian, Ukrainian, and American nationals topped the chart of digital nomad visa holders in Croatia in 2024 and 2025, with numbers in the hundreds, compared to tourists in the tens of millions that visit the country yearly. Hence, only a minuscule number of transnational remote workers arrive on digital nomad visas – this was confirmed by my interviewees and my experience of encountering mainly *digital nomads* from the European Union. Several studies have also shown how *digital nomads* conceal their working situation from the state, deploying several strategies to skirt the law but also abiding by it when necessary (Cook, 2022). It is then safe to say that *digital nomads* in Croatia routinely violate the terms of their tourist visas by working remotely while remaining largely undetected and unpunished by authorities. What reasons, then, do states have not to be selectively lenient, to not enforce their regulations?

I argue that the Croatian migration bureaucracies' selective enforcement is purposeful and reveals three key presumptions about *digital nomads*: the presumption of regularity (shaped by racialized, classed understandings indexed by liberal Whiteness), the presumption of high consumption and income (which appeals to the neoliberal, entrepreneurial state), and the presumption of being unproblematic and an overall positive presence (reinforced by media representations of *digital nomads* as pioneering and 'cool').

(Ir)regularity: A Racialized, Processual Practice

This depicts how (ir)regularity –or rather, (ir)regularization– is a process or state practice. Indeed, while mainstream narratives in Croatia celebrate *digital nomads* for their pioneering and entrepreneurial lifestyle, they vilify immigrants from the Global South or neighboring countries of peripheral (Southeast) Europe for, allegedly, not paying taxes, siphoning money out of the country through economic remittances, or benefiting from state subsidies, with these discourses articulated through racialized and classed understandings of belonging. However, immigrants on working visas do, in most cases, pay taxes and do their bit in

helping keep running a country suffering from demographic loss. They are yet rendered presumably irregular in discourse, stigmatizing them despite their perfectly regular situation.

This is in line with Gazzotti's (2021) findings from her study in Morocco, where state bureaucracies render irregular migrants regular through nonenforcement, namely NGO workers, freelancers, and other citizens from the Global North. They also de facto render irregular not only law-abiding migrants but also Black Moroccans and make them the subject of police harassment, arbitrary raids, and even abduction, despite their residence situations often being in full compliance with the law. Indeed, this is based on racial profiling against the backdrop of whiteness as a world orientation and the criminalization of migration. This is the result of Morocco's compliance with the EU's policy of externalization of migration, where third countries are increasingly asked to perform border functions for the EU in exchange for developmental funds in rather murky deals.

The case of digital nomads thus illuminates a fundamental contradiction in contemporary mobility governance: regularity is de facto not a legal status but rather a process and practice selectively produced and enforced by states, informed by race, gender, and class. Croatia's approach –tacitly welcoming often visa-violating digital nomads while committing violent pushbacks at racialized migrants at its eastern borders– reveals how states simultaneously practice permissive nonenforcement and brutal enforcement depending on who is moving. This points to the need for the scholarly "des" outlined at the outset: *deconstructing* (ir)regularity as a purportedly neutral legal category; *decolonizing* state logics of who gets to move and under what conditions; *deracializing* a mobility governance operating through presumptions of who is entitled to be somewhere indexed to whiteness and class; and *demigrantizing* the study of mobility to recognize that all border-crossers –from digital nomads, backpackers, tourists, to refugees– are subject to the same racialized regimes of control, albeit with radically different consequences. Only by recognizing that digital nomads are 'regularly irregular' –frequent visa breachers whose whiteness and position class shield them from the consequences faced by their racialized counterparts– can we begin to challenge the hierarchized architecture of global mobility itself and perhaps work toward dismantling it.

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