

Abstract

Foreigners working locally increasingly find themselves the victims of xenophobic violence, justified by the assertion that they have a lesser right to employment in South Africa than its own citizens. Given that South Africa subscribes to a broadly cosmopolitan set of international agreements supporting a basic human right to work regardless of national or ethnic origin, the implication is that even within a cosmopolitan-like framework it must be permissible for citizens to exercise special considerations toward one another, and especially in regard to employment. As demonstrated by Robert Goodin and others, this case is difficult to make if foreign residents are also expected to contribute to the social good which makes citizenship so instrumentally valuable. Given that associativist models for special obligations are problematic when applied to citizens, it is argued that foreigners enjoy the same right to work as any other residents.