

ASSESSING TRADITIONAL HERBAL MEDICAL PRACTICE IN NIGERIA FROM THE PERSPECTIVE OF KANT'S CONCEPT OF GOOD WILL

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Abstract

This work evaluated the prevalence of traditional herbal medicine in Nigeria and observed the lack of Goodwill in the practice. This absence of good will is evident in the unethical practices of circumventing drug approval procedures, drug adulteration and the use of spurious claims in the practice. Drawing inspiration from Kant's idea of Goodwill which upholds doing the right thing for the right reason, doing what ought to be done not out of self-interest or any inclination, this study argues that good will as a moral guide is indispensable in traditional herbal medical practice if we must retain the trust and confidence people have in traditional herbal medicine. This study therefore recommends that traditional herbal medicine practitioners and their marketers, the government, drug and Health Regulatory Agencies should imbibe and exhibit good will as a moral guide in their practice. This study adopts the method of textual analysis and is purely qualitative and argumentative.

Key Words: *Good Will, Herbal Medicine, Moral Worth and Kant.*

Introduction

Herbal medicine is the oldest form of medicine and it is as old as humanity. In Nigeria today there is an increased use and popularity of herbal medicine and this is mostly due to economic issues, high cost of modern medical care, loss of confidence in synthetic drugs and easy accessibility of herbal medicines amongst other reasons. According to the World Health Organization (WHO, 2018) about 80% of the population patronizes traditional herbal medicine. It is a fact that many of the conventional drugs contain plant extracts and the effects of herbal medicines in improving human health and curing diseases cannot be denied. However, with its increasing popularity, demand and improvement in health care delivery there is need for critical assessment of the practice. Studies have shown that some of the herbal medicines in the market do not undergo drug approval procedures. Further it has been discovered that some of them contain toxic metals that are dangerous to human health. Some others are contaminated as a result of failure to observe good manufacturing practices. To crown it all some of the practitioners and marketers make spurious claims on its ability to cure all ailments even when such ailments are not related. This work conceives these unethical practices as not acting from good will because they fail to do the right thing. This work further conceives making spurious claims as motivated by sharp business mentality and devoid of

good will. To act from goodwill is to act without self-interest or any external influence. It means not to deceive. Good will is not just good intention, to have goodwill is to be motivated by duty. Some of these herbal medicine practitioners exploit the vulnerable persons and take undue advantage of peoples deteriorating health conditions and desperate search for cure. It is unfortunate that the dignity and sanctity of human life makes no sense any more due to greed and quest for money. These drugs are sold at every corner of our streets and the most amazing side of it is that the marketers claim it has the capacity of curing all diseases in the human body even when such diseases are not connected. This is deceit and devoid of good will. This calls for a serious philosophical reflection because human life is at stake and protecting human life is our common project and must be taken as a shared responsibility. No society can be indifferent on protecting human life. Such acts are unethical and its health, social and ethical implications are legion. Recently, medical reports have shown that in some cases health issues like kidney and liver failure amongst others are as a result of indiscriminate consumption of some unapproved and contaminated traditional herbal medicine. Unfortunately some of the drug regulatory bodies do not exhibit good will in carrying out their duties, issues of sharp business mentality and “robbing of palms” and laissez-faire attitude has been observed among some officials. Good will as a moral guide becomes indispensable in laying surveillance and monitoring the influx of herbal medicine in Nigeria. From all indication it seems that it has become a free market for all irrespective of its health risk and ethical implications. The drug regulatory bodies need to imbibe good will so that the lives of the people can be protected from contaminated and adulterated herbal medicine that has flooded the market. This work in consensus with other scholars argued that herbal medicine has a lot of potentials that needs to be exploited for better and improved health care delivery but must submit to the rigors of drug approval procedures like in conventional medicine.

Kant’s Concept of Good will

Kant analyzed the concept of good will in his work “*Groundwork for the Metaphysics of Morals.*” In the first section of this work, “Transition from the Common Rational knowledge of Morality to the Philosophical” Kant states that: “nothing can possibly be conceived in the world, or even out of it, which can be called good, without qualification, except a good will” (Kant, trans Robert 256). This statement of Kant gives a summary of his idea of the good will as an unconditional and absolute good not influenced by any external factor. That is, good will is the only unqualified good. Kant’s ethics cannot be understood without understanding all ramifications of this claim. For Kant the good will is the best thing that has happened to humanity, for without the good will all other virtues like intelligence will amount to nothing. In his view good will is the absolute good, whatever else you call good requires qualification except good will. According to him one cannot even be happy without the good will, “a goodwill appears to constitute the indispensable condition even of being worthy of happiness” (256). The good will for Kant is the ultimate “good in itself”. Good will is one which chooses to perform an action simply because it realizes that it is the right action to be done.

Emphasizing the goodness of good will, Kant distinguished good will from other talents and virtues which are merely good. In his own words

intelligence, wit, judgment and other talents of the mind, however they may be named, or courage, resolution, perseverance, as qualities of temperament are undoubtedly good and desirable in many respects, but these gifts of nature may also become extremely bad and mischievous of the will which is to make use of them, and which therefore, constitutes what is called character, is not good. It is the same with gifts of fortune. Power, riches, honour, even health and the general well-being and contentment with one’s condition which is called happiness, inspire pride and often presumption, if there is not a goodwill to correct the influence of these on the mind...(256).

Therefore when a person with good will understands an act to be the right action to be done, this understanding alone is a sufficient intention for the person to perform the action. In Kantian good will,

doing something because you think it is good does not make such action good. Good will in Kant means doing the right thing because it is what you ought to do whether you wish to do it or not is inconsequential. Therefore when one is doing something primarily out of self-interest or because of certain reward such act cannot be termed coming from good will. Kant's concept of good will is straight forward, no other emotion or feeling makes an act come from good will except doing it because you have a duty to do it. This implies that in Kantian good will feelings like "I mean well", "I have no evil intention for doing this" or "I have good intentions" are not sufficient for an act to be said to come from good will. For him without the good will other virtues like intelligence, wealth, power etc can be misused or abused. For instance Wolemonwu et al explaining this gave an analogy that "a teacher may offer to give an extra moral assistance to his female pupil with the intention of having an opportunity of a carnal knowledge of her someday. The fact of offering this extra academic assistance is good viewed prima facie, but does not according to Kant deserves moral worth since the motive for which the assistance was offered (to have carnal knowledge of her) does not project a good will"(109). Further Kant argues that there are qualities like moderation, self-control, calm deliberation etc. which are of service to good will and facilitates its action but still lack intrinsic unconditional value and cannot be regarded as absolutely good. If they are not with the principles of the good will they can become extremely bad.

On the nature of the good will Kant asserts that "a goodwill is good not because of what it performs or effects, not by its aptness for the attainment of some proposed end, but simply by virtue of volition, that is, it is good in itself and considered by itself is to be esteemed much higher than all that can be brought about by it in favour of any inclination, nay even of the sum total of all inclinations" (256). This implies that good will is the only unqualified good and its goodness is not dependent on the consequences of an action. The good will therefore is intrinsically good irrespective of the consequences, or effects of an action. For Iwuagwu "It is Kant's view that the only thing that is good without qualification is the good will. With the good will behind our actions, one's action must always be good independent of the outcome or consequences" (3). Morality for Kant must be based on something that have unqualified goodness or else it had no foundation. The standard with which we judge people's action must rest on a standard that is goodness itself and not based on any other thing. For Kant "an unqualified absolute something is something more, it is that which is sufficient by itself to make its possessor morally good and is necessary for moral goodness. With it a person will be and without it he will not be a morally good person" (Kant, trans Brendan 41). Therefore for a system to be morally justified it must be based on an unqualified good which is the good will. In this direction if one does a good deed out of fear such deed cannot be morally good in Kant's view. The good will constitutes good character in an individual. He asserts that "good will is not good fellowship or outpouring of love rather a good will is that will which actively and consistently chooses to do the right thing, to perform the good deed and it does so from the right motive" (42). It is clear that in Kant's analysis an agent must have good will for his action to be morally good. Then the question is, is anything more needed in addition to good will for an act to be morally good. In answer to this question Kant states that "a person receives moral credit for his action only when he does it for the right reason... that he receives the same moral credit whether or not he succeeds in performing the action" (44). Kant is not interested in beneficial results but by the agents ability to do the right thing with the right reason. Consequently "the good will is both a necessary and a sufficient condition for moral goodness" (45). The implication of Kant's analysis of good will is that any action we perform must be on the basis of good will for it to be morally praise worthy. The good will is good, unconditional and intrinsically good and this shows the dominant role of the will. Kant's good will is a will whose decisions are completely determined by moral demand or as Kant puts it moral law. This law puts constraint on our natural desires. It shows that we need to act in certain ways simply because one is morally required to do it even when one might not want to do it. Good will in Kant is nothing but a sincere effort by a rational agent to do what he ought to do rather than acting from self-interest or inclination. For Kant reason plays a vital role in achieving good will, which makes life enjoyable and one happy. Good will is grounded in pure reason and reason helps us in

developing good will. In Kant's view reason should guide the will; reason is the governor, regulator and foundation of good will. Kant distinguished moral motives from other motives. Take for instance a Christian who obeys and observes all the commandments, attend daily church services, contribute financially to the church and to the poor just to make heaven and escape hell. For Kant such actions are motivated by self-interest and are not morally praiseworthy.

A will motivated by self-desires and interest cannot be good for Kant. The principle of good will is to act in a way that one can will his act to be a universal law. This means doing the right thing because it is right irrespective of whether one wants to do it or not. What is imperative for Kant is doing the right thing primarily because it is the right thing to be done. It involves not only doing the right thing but willing it. Summarily put to act from good will means to "act out of a sense of moral obligation or duty. In other words, the moral agent does a particular action not because of what it produces (its consequences) in terms of human experience but because the agent recognizes by reasoning that it is the morally right thing to do and consequently, there is a moral duty or obligation to do that action" (Mintz). For Kant only when a person acts primarily and solely because it is his/her duty can he/she be said to have acted from good will. Goodwill is therefore acting for the sake of duty (or acting from duty) in Kant's view.

Kant's Concept of Good Will and Traditional Herbal Medical Practice in Nigeria

The concept of good will is fundamental to Kant's ethics and is the foundations of his concept of duty and the categorical imperative. It is important to state that Kant did not write on traditional herbal medical practice but this work is using his idea of good will to assess the practice in Nigeria in the light of philosophical analysis. Although a lot of criticisms had been given against Kant's concept of good will and his moral theory in general. Philosophers like David Hume in his masterpiece "*A Treatise of Human Nature*" (1737) criticized Kant's moral rationalism. For Hume sentiments and feelings were the foundations of morality. John Stuart Mill also rejected Kant's deontology and lays emphasis on consequence while Jeremy Bentham holds that only pleasure is good in itself. Even George Wilhelm Hegel objected Kant's moral theory in his *Phenomenology of Spirit*. Kant has also been criticized of neglecting moral emotions, like compassion, sympathy, feelings as acceptable motives for moral actions and inability to resolve moral conflicts. Sullivan reacting to this last objection has it that "moral emotions are subjective in the sense that they reside in the human moral agent and, because they do, are the subjective foundations of human morality. They are also subjective in the second sense, because their strength can vary from person to person..."(148). It is important to state ab initio that Kant's concept of good will have received knocks and blows from different schools of thought especially from the utilitarian's. They argued that Kant neglected the consequence of action in his moral theory. However Beauchamp et al defending Kant on this criticism argued that

It is not entirely accurate to say that Kant urges us to disregard consequences or even that he believes an action is morally right or wrong without regard to its consequences. Kant holds only that the feature of an action that make it right are not dependent upon any particular outcome. He never advises that we disregard consequences entirely. The consequences of an action often cannot be separated from the nature of the action itself, and so the two must be considered when an agent universalizes the action in order to determine whether it is permissible (39).

Amidst all these it won't be surprising to say that it is still relevant in today's ethical discussions and the society in general. Despite these and other criticisms the relevance of Kant's idea of good will to topical issues in biomedical and business ethics cannot be over emphasized. It reminds us that we have duties that are imperative and should not be abandoned irrespective of whatever interest we may have. It awakens the law enforcement agencies that they are bound by law to do their duty. Kant's insistence on good will, purity of motive has a positive contribution to make to medical and business ethics, not a barrier to overcome. The focus should not be purely on profits. Just as Bowie opined that "we should view profit as a consequence of good business practices rather than as the goal of business" (13). In Kant's perspective profit will be

enhanced if humanity is respected. The argument of this work is that there is absence of good will in traditional herbal medical practice in Nigeria. This absence of good will is evident in activities of some traditional herbal medicine practitioners and their marketers. Secondly, the government shares in this lack of good will through their show of little or no interest to invest or fund researches in traditional herbal medical practice. This lack of good will has also led to human exploitation, the violation of advertisement code and basic principles of healthcare ethics. On the strength of the above this work will analyze Kant's good will vis-à-vis traditional herbal medical practice in Nigeria.

For Kant the good will is the only good without qualification. This implies that good will itself has an intrinsic goodness. It does not need any other external factor to be good not even the failure to produce expected results can diminish its goodness. It will be good to state clearly here that Kant's idea of good will is not just good intention. This is because a lot of scholars mistakenly interpret Kant's good will to literally mean good intention. For others it's all about the agent's motive. To interpret Kant's good will as just good intention is not adequate and to center it only on motive alone is a narrow interpretation of Kant's concept of good will. This work do not intend to adopt such inadequate or narrow interpretation but a broader interpretation of this concept. This broad interpretation does not exclude the idea of motive but goes beyond it. The work conceives good will as the sincere effort to do the right thing with the right reason because it is what ought to be done. In the same direction Solomon states that "Having a good will means acting with the right intentions, according to the right maxim or principles, doing one's duty for its own sake rather than for personal gain" (23). It is clear from this, that good will is not just intentions but right intentions not just right intentions but right maxims and principles. A good will in Kant's idea is free of all inclination and self-interest, it is performed from duty and obeys a maxim prescribed by law. It is devoid of personal gain or interest rather it is motivated by the right maxim or principles. By what ought to be done and not what one wants, wishes or desires. For Kant our actions are completely good if they are prompted by good will. It is from the good will that Kant formulated his categorical imperative. In fact one can argue that to act from good will is to act in conformity with the categorical imperative. Two important points in Kant's moral philosophy are the good will and the categorical imperative. Emphasizing this point Landau argues that Kant sets two criteria for morally acceptable action "the first says that actions are morally acceptable only when the principles that inspire them can be acted on by everyone consistently. The second require us to treat humanity always as an end in itself and never as a mere means" (70). The good will influences our action, puts the whole principle of action in order and "bring it into conformity with universal ends" (Landau 71). The principle of the "will" will be the conformity of its action to universal law. In Kant's view only good will and reason is sufficient to act morally.

Traditional herbal medicine has become once again prevalent in Nigeria in recent times. It has gone beyond the herbal preparations used in the ancient times to manage health challenges. It is no longer just to enter the bush and pick up different leaves and roots, squeeze out the fluid and drink or boil and drink. It has become a commercial enterprise. In agreement with this view Ogunkunle et al asserts that "long time ago in traditional societies, herbalism was a way of life rather than a trade as it later turned to be. If a person turns sick, the other person who knew just what to use went to the nearby bush and brought back herbs that gave relief to the sick"(23). In fact someone said it has become the trending business. It has become sophisticated, modernized and has improved tremendously. It has left the crude stage it was in the ancient days to a sophisticated level where they are now bottled and coked for marketing with different roots, leaves and other mixtures only known to the producer. In fact you cannot cross two shops in the market or move along the streets without seeing one herbal shop with a big megaphone advertising its therapeutic effect or a big banner advertising a herbal medicine and the practitioner. According to Adefolaju there is "proliferation of herbal medicine practitioners in Nigeria, many of whom are not licensed, lack sophisticated knowledge of the toxicological components of herbs they advance or administer on their patients" (100). Senator Nasir Garo presenting the Bill to regulate and promote traditional herbal medicine

in Nigeria attested that “in every nook and cranny of our great country there is availability of people that provide complementary and alternative medicine services” (cited in Nwafor). Nwoga also added that “The use of traditional herbs and remedies are however well known and relatively common in Nigeria” (471). Olapade made the same observation that “there has been a global resurgence in traditional medicine in the last ten years because of many of the known synthetic drugs in allopathic or western medicines for the treatment of various ailments are failing or that the causes of these various diseases are developing resistance to the known drugs” (vi). In the same direction Falodun and Imieje remarked that “The upsurge of global awareness and use of herbal medicines has created the multiplicity of markets of these herbal remedies and increase in herbal preparation and formulation in the Nigerian market” (6). These herbal medicines can be purchased everywhere even from the internet. This is a welcomed development and a show of progress in the traditional herbal medicine sector but there is more to this. A lot of issues and challenges are facing this practice in Nigeria today as this work pointed out. Corroborating this point Erinoshio argued that “herbal medicine in spite of its popularity have been challenged on many grounds; one of such is that its popularity is based on anecdotal experiences of patients” (20). Among the challenges is the problem of some of the practitioners circumventing drug approval procedures. It is no longer something new to say that a lot of the practitioners do not see the need to submit their herbal preparations for clinical screening and approval before marketing it. Shahzad writing on the importance of this argued that “properly conducted clinical trials will exterminate myths and ascertain proof of better curative properties as compared to conventional medicine” (2959). The view of this work is that such act no matter the intention of the practitioner is not in conformity to Kant’s concept of good will. It is not enough for one to claim to have good intention to assist in bringing cure to illness and alleviating human suffering. Such good intention is not bad in itself but something is still lacking which makes the practice short of good will. And without good will this love and sympathy for the sick can be abused or put into bad use in Kantian perspective. Such intention is not sufficient if one intentionally or unintentionally, through his actions or inaction or by negligence circumvent drug approval procedures. This is totally a show of lack of good will. Without good will human cruelty, exploitation, disrespect for human dignity and all sorts of harm can be done to the human person. According to Sullivan “whatever help we give to others should be given so as to allow them to keep their self-respect” (83). Marketing unapproved herbal remedies do not respect this view. The view of this work is that any herbal medicine practitioner who desires to commercialize his herbal mixture to the public must see it as an obligation to submit his herbal mixture to National Agency for Food, Drug Administration and Control (NAFDAC) for clinical screening and approval. This is what ought to be done. It is the right thing to do with the right reason. It is the right thing because it is what the appropriate body has stipulated and it is for the right reason because it will help to ascertain its efficacy and safety for human consumption. In as much as we appreciate the efforts and contribution of our present day herbal practitioners, the argument of this work is that if they wish to commercialize their herbal preparation it is an imperative, a duty and an obligation for them to submit their herbal preparation/mixture to (NAFDAC) for clinical screening and approval. Supporting this view Osakwe has it that herbal therapy as we know it in Nigeria needs to be further examined and clinical trials carried out...we need to carry out proper studies to evaluate some of these herbs”. It is only when they see this as the right thing to be done, as what they ought to do and as an obligation will they be acting from good will.

Good will does not depend on consequences or result. That is why Kant said that even if the aim of the action is not achieved so long as good will is present such action is morally commendable. This implies that love or sympathy for the sick or the efficacy of the mixture is not sufficient to exonerate the herbal practitioner from doing what he ought to do or from doing the right thing. In this direction even when a particular herbal mixture is not approved by the appropriate bodies due to failure to pass clinical screening, the practitioner has still acted from good will and his act has moral value. If the practitioner wishes to consume his herbal preparation alone with his family he may not be demanded to undergo the approval

procedures but in as much as he wants to commercialize it, it becomes imperative for him and also an obligation.

Good will is acting free from any inclination or self-interest. Circumventing drug approval procedures can be interpreted as exhibiting sharp business mentality. Such act can be interpreted as motivated by self-interest and desires. The practitioner wants to cut corners and his interest is the financial gain that he will derive by marketing such products or herbal mixture. To be motivated by self-interest is not humanly speaking wrong but it is not praise worthy nor morally commendable. It is also morally unacceptable. It further shows that the practitioner is putting his interest over that of the consumer (patient) which is against the principle of beneficence in medical practice. From Kantian perspective for a practitioner to put his interest above that of the patient is equally a disrespect to the person and human dignity. Although some have attributed their inability to undergo this approval procedures due to paucity of funds. This may sound like a cogent reason but it cannot exonerate the practitioner from what he ought to do. In a case like this if the practitioner cannot get sponsors then he should not commercialize it. Coming up with a herbal mixture by a practitioner is a welcomed development but doing what ought to be done by following the principles stipulated by the appropriate body shows good will in Kantian perspective. This is a show of good will in the practice because the practitioner has done what he ought to do, he has done the right thing and for the right reason and shows respect for the moral law and humanity in general. Moral law in Kantian perspective is not associated with God's command but a rational will. That is, a will that is totally guided by universality of reason. Universality is the test of it. It is a universal rule that should apply to everyone and determines what is right or wrong. Practicing with a good will is an indispensable moral guide, a necessary condition for the practitioner's intention and action to be completely good or better still as Kant would put it to be good without limitation. It also makes the practice of traditional herbal medicine in Nigeria universally acceptable with moral worth or value. This is important because the practitioner is a moral agent and secondly all these revolve around the human person who is an end in itself.

Literatures have testified that a lot of adulteration is going on in traditional herbal medical practice in Nigeria. Confirming this development Ekor states that "Adverse effects arising from consumption of herbal medicine are attributable to several factors among which includes the use of the wrong species of plants by mistake, adulteration of herbal products with other undeclared medicines, contamination with toxic hazardous substances, over dosage..." (10). To adulterate a drug or herbal mixture is an intentional addition of extraneous substances into the drug or herbal medicine. It is unethical act in medical practice. Adulteration of herbal mixture is ethically unacceptable in medical practice and those who indulge in it strive because either they avoided clinical screening or inability of the appropriate bodies to monitor and regulate the practice. Lack or poor regulation of traditional herbal medical practice in Nigeria is a major challenge. Nasiru Garo lamented that "the challenge is that there is no legislation to regulate the practice of this highly important and sensitive activity" (Cited in Nwafor). Further he added that "this lack of regulation exposed the practice to unethical, crude and sharp practices by quacks and people who know nothing in the field of complementary and alternative medicine." Corroborating this view Umeh et al opined that "there is need to not only regulate the production of traditional medicine in Nigeria, but there is also urgent need to regulate the way these drugs are being marketed to patients especially the poorly educated vulnerable population in rural communities" (148). Ameh expressing his view on this unfortunate situation has it that "whereas up to 80% (WHO, 2008) or even 90% (BBC 2006) of some populations depend almost entirely on TM for most of their primary healthcare needs, the dramatic irony is that among these populations, TMs including herbal drugs are hardly regulated by the state" (101). This poor regulation does not show good will on the part of the government and health and drug regulatory bodies in Nigeria. For a herbal practitioner to adulterate a herbal preparation already is a show of lack of good will because one cannot deny that such a practitioner is acting from self-interest. He is doing the wrong thing and the appropriate body's inability to be proactive is also a show of lack of good will. It is an incontrovertible fact that the rate of adulteration

in Nigeria is alarming and frightening that one can hardly differentiate the original from the fake in virtually everything. It is seen in both conventional and herbal medicine, even in beverages and soft drinks. Late Dora Akunyili former Director of NAFDAC was so worried about the prevalence of fake drugs in Nigeria and she fought it till her death. Recently a video went viral of a small house where people were producing fake and substandard conventional drugs in Lagos. Confirming the incident, The public relations officer of the Nigerian police Jimoh Moshood reported that “IRT, working on credible intelligence stormed and raided the suspected fake factory at Ikotun area of Lagos where substantial production, packaging and distribution of suspected fake drugs to different parts of the country were being carried out”(Cited in Ismaila). He further advised the public to be “weary of where they procure foodstuffs, drugs and drinks as many of them are fake and may cause outright deaths or physical and mental disability” (cited in Ismaila). There was also a case of a man who was arrested by NAFDAC for production of fake peak milk in Calabar. The Cross River State Coordinator of NAFDAC on this reported thus “we have been receiving complaints of adulterated Peak milk from consumers, which made us to swing into action. The suspect was arrested when he was supplying the products to departmental shops” (Cited in Affe). Another case was a video of where fake stout and malt drinks were produced in Egbe-Afa, Igbobo area of Ikorodu in Lagos state. Jannah in his report lamented that “it was discovered that the illegal brewery produced malt drinks, stout and Ethanol which they pump into trucks to bottle at another location... This is an illegal distillery where malt, stout and ethanol are being produced in an unhygienic environment thereby feeding poison to the people” (10). This is just a tip of the ice berg among several case of fake products in Nigeria. One after watching such videos on the internet begin to wonder the fate of Nigerians who ignorantly consume these substandard products. Its health implications are enormous. No doubt these are all motivated by self-interest and a show of lack of good will in Kantian perspective. These cases of adulteration and substandard products are also seen in traditional herbal medical practice in Nigeria.

Another point of concern is the issue of spurious claims among some traditional herbal medicine practitioners and their marketers. Literatures have testified there is a lot of spurious claims observed in the practice. Osborne argued that “most of the claims of the herbal practitioners are said to be unsubstantiated and their post market monitoring has been difficult” (15). They make lofty and unsubstantiated claims. Akinleye corroborated this view when he identified some problems of herbal medicine which include amongst others “incorrect diagnosis,, imprecise dosage, low hygiene standards, the secrecy of some healing methods and the absence of written record about the patients”.(16) Some of them claim how one herbal mixture can cure several unrelated diseases which medically is far from reality. There is no doubt some diseases are related such that one medicine can cure them but it becomes a spurious claim when a practitioner or marketer claims that unrelated diseases can be cured by one herbal mixture. Such claim is deceit and dishonesty and Kant frowns at such acts. Kant condemned lying in all its ramifications. Lying for Kant is the “obliteration of one’s dignity as a human being” (Cited in Rachels et al 130). Although some lies can be said to be harmless but it is not in this context. For Kant we cannot will a universal law that permits lying since such a law will be self-defeating. This is because if lying becomes common no one will believe the other. Kant advised that we should be truthful in all deliberations because it is a sacred and absolutely commanding decree of reason. For him we are not culpable for any bad consequences of telling the truth but we are morally responsible for any bad consequences of lying. Lying expressly shows lack of good will because first there is deceit and secondly the agent is doing what ought not to be done. It shows that the practitioner or marketer lacks good will and such is morally reprehensible.

In another direction the Nigerian government has also shown this lack of good will in traditional herbal medicine sector. The Nigerian government and our political leaders who are representing us at various levels (both at the Senate and House of Representative) do not show reasonable interest in the developments going on in traditional herbal medical practice. Muanya in this connection asserts that “despite the huge potential of traditional medicine to make Nigeria financially independent, boost primary health care (PHC)

services, and ensure Universal Health Coverage (UHC), governments at all levels have continued to neglect the practice” (2). These top political leaders prefer to seek medical tourism abroad than look into what is going on in this sector/practice thereby leaving the average Nigerian to his fate. In this direction Adekunle adds that “while the elites and those in government run to Europe and America for proper health care, the average Nigeria whose salary is determined by the N18, 000 minimum wage is forced to look for alternative health solution.” Some of the herbal practitioners have broken new grounds and made researches but due to this neglect the new discoveries are not known. Muanya further argued that even the “little attempt made by the Federal Government to advance the practice such as the development of the Traditional Medicine Policy for Nigeria in 2007, the establishment of the Nigerian Natural Medicine Development Agency (NNMDA) Lagos, and the Nigerian Institute of Pharmaceutical Research and Development (NIPRD) Abuja have not been backed by the political will and adequate funding” (3). Further the Bill to “regulate, promote Traditional Medicine in Nigeria” and the Bill for “an act to provide for the establishment of the Traditional Medicine Council of Nigeria” sponsored by Rep. Nasiru Garo from Kano state passed their third readings in 2017. Despite the bills passing third readings since 2017 it is still yet to be enacted into law. The practitioners are being neglected and seen as people who have nothing to offer and this is primarily why all these unethical practices of circumventing drug approval procedures, adulteration and spurious claims are going on. Adefolaju noted that “Herbal medical practice in Nigeria, however, faces greater challenges in the hands of government officials who look at it with disdain and disrespect. This is manifested in the Nigeria government’s reluctance to accord herbal medicine its primate position in the health care delivery system as it is the case with China and India” (101). If the government show interest, invest and mandate the appropriate drug regulatory agencies to swing into action and monitor what our practitioners are doing all these unethical activities will be drastically minimized. These unethical practices have caused more harm than good to the Nigerian people. Nasir Garo lamented that “people had suffered a lot in the hands of fake traditional medical practitioners while some had even lost loved ones” (cited in Nwafor). So many of the traditional herbal practitioners need funds from the government to improve on what they have already but get nothing. Supporting this position Opara et al opined that “Government and corporate bodies should increase funding for research into herbal medicines, as Nigeria is endowed with a rich flora and fauna that can be explored and exploited to the health benefit of the people” (75). According to Muanya “the Guardian Investigation revealed that there is indeed no funding for TM in Nigeria”. So many have expressed dismay over lack of concern and paucity of fund to embark on research and exploit traditional herbs for increasing health challenges facing Nigerians today. Ohemu et al have advised that the “Federal government has to also set up and finance the Federal College of Complementary and Alternative Medicine, Lagos under the Federal Ministry of Health to train herbalist on its use and practices” (1353). In the same spirit Prof. Magnus Atilade in an interview opined that “Nigerian should look inward and get it right in traditional herbal medicine by funding research and encouraging traditional healers to come forward with their treatments for different diseases, and assure them of intellectual property” (cited in Oyeyemi Gbenga 11). Although NAFDAC has made great strides in the development of traditional herbal medicine and has made the processes of herbal drug approval simple and less expensive still some of them need financial assistance from the government so as to enhance and improve the standard of what they have already. According to Falodun “NAFDAC has put together criteria for listing herbal medicine” (11). Further he advised that “Grants from government to researchers and research institutes will open this new field” (11).

One of the principal function of government or elected officials is to see to the welfare of the people they are representing in all sectors of life, be it health, education or social welfare etc. When they neglect these areas of concern they are not acting with good will. That entails failure in what they ought to do, failure to do the right thing and failure in their obligation. What we observe today is self-interest, everyone going after what will benefit him/her personally and this self-interest and greed is what is destroying traditional herbal medical practice and the country in general. Inyang writing on this ugly trend asserts that “It was discovered that self-interest has been the major reason behind the immoral or unethical display of leadership

qualities by the leaders as well as the poor general conduct of the citizenry” (107). This indeed explains the need of moral values in our present society. Self-gain and interest have taken over the idea of concept of common good and good will. If our leaders and the Nigerian government show interest in what is going on in traditional herbal medical practice through policies that will improve and enhance what they are doing already in herbal medical sector the situation will be different and the economy will be improved. The problem in particular is not the formulation of policies but the enforcement of the policies. Expressing the Nigerian situation Inyang laments that “The Nigerian polity can obviously be conceived as a mere theatre for the pursuit of selfish ends, a place for a bitter struggle for who gets what for one’s self, one’s family and friends. There is the imperative need for the elimination of this problem and put in its place the habit for the attainment of the common good. To do this warrants Kant’s categorical imperative as a moral principle or instrument for attaining the common good” (112). From what has been said so far it is clear that self-interest and private gain is largely responsible for much of the problems we are facing in Nigeria. Research has shown that traditional herbal medicine is another area of diversification of the Nigerian economy if carefully and properly harnessed and explored. The government can show evidence of good will through the enforcement of workable policies. There is need for the Nigerian government to show interest, invest and pump fund into traditional herbal medical practice as a show of good will and what it ought to do.

Kant argued that the concept of good will is contained in the concept of duty. Duty in Kant’s view is an obligation and an obligation is what one has the responsibility to do. One has obligation to do something when he is morally bound to do it. To explain further the concept of duty Kant differentiated between “acting from duty” and “acting in accordance with duty.” To act from duty is to act free from personal desires, interest and inclinations. To act in accordance with the dictates of the moral law. In Kant’s view to act from good will is to act from duty. It is the view of this work that to circumvent drug approval procedures, adulterate herbal preparations, making spurious claims and governments lack of interest in traditional herbal medical sector are all associated with acting in accordance with duty. Actions as these express self-interest and desires. Like Kant argued reason is important for the development of good will. The will must be ruled by reason for ones act to be in conformity with Kant’s idea of good will. In all these acts mentioned above one can discover a play down on reason and a show of emotions, inclinations and self-interest. For Kant, to act from good will is to act in accordance with the categorical imperative. Kant in his first formulation clearly stated that there is one categorical imperative and that is to act only if we can will that such be universalized. This implies that one must scrutinize his actions to know if they are universalizable and respect the dignity of humanity. If ones action fails to meet these criterion then his actions are morally questionable.

This brings us to Kant’s first categorical imperative which states that I ought to act in a way that I can will that it becomes a universal law. This is the principle of universalizability. It means that if one can never will that his actions should be made a universal law then such action is morally objectionable. This can be understood without much ado. If ones action cannot be universalized without contradiction then such action is morally unacceptable. In the context of this work one may ask, can herbal practitioners circumventing drug approval procedures be universally acceptable? Can adulteration be allowed and made a universal law or can spurious claims in traditional herbal medical practice be universally acceptable. One can testify that such acts cannot pass the test of universalizability without contradiction. For to allow such acts or universalize them can be detrimental to humanity. Universalizing such acts cannot but bring human cruelty into the practice and its health and moral implications are legion. Such actions cannot be universally acceptable and therefore are not in tandem with Kantian good will. To have good will is to act in a way that one’s actions can be rationally universalizable without contradiction. Expiating this formulation Rachael et al says that “this principle provides a way to tell whether an act is morally permissible. When you are thinking about doing something, ask what rule you would be following if you actually did it. This rule will be the maxim of your act. Then ask whether you would be willing for your maxim to become a universal law. In other words, would you allow your rule to be followed by all people at all times? If so, then your

maxim is sound, and your act is acceptable. But if not, then your act is forbidden” (129). This can simply be explained as putting yourself in another’s shoes, one whom your actions is likely to affect. If reason shows that the consequences of your action are good it then becomes a law but if reason shows that you are unable to face the consequences of such action then it is morally wrong. According to Inyang “actions predicated on the universalizability principle will result in a common good” (109). This common good (good health) is perceived as the desired goal of traditional herbal medical practice. The problem is not traditional herbal medicine but those involved in the practice.

Kant’s second formulation stipulates that one should treat humanity whether in his own person or in the person of another never as means but always as an end. This work in this direction argues that these aforementioned acts tantamount to using human beings as means to an end. These acts do not express good will because good will emphasizes respect for human dignity. Neglecting the dignity and respect due to human person in traditional herbal medical practice do not show good will. A herbal practitioner neglects the respect and dignity of human beings when he markets a herbal preparation that did not undergo clinical screening, adulterates his herbal mixture or use spurious claims in his practice. These acts show that the practitioner lacks good will. He has failed to do what ought to be done. He has failed to do the right thing with the right reason and used dishonesty (lies) as the foundation of his action or practice.

For Kant there are important questions to ask in evaluating ones actions to determine if they conform to good will and if they are morally commendable. First, can I rationally will that everyone acts as I intend to act? If no, then such act lacks good will and is not morally condemnable. Secondly, does my action respect the dignity of human beings or is it using others as means to my personal desires and interest? In Kantian view these questions are essential for ones actions to be praise worthy or morally good.

Conclusion

Healthcare and health management concern everyone, some have had and others will experience one day either directly or indirectly health challenges. Prof. Yemi Osinbajo corroborated this during the launching of the “Patients’ Bill of Right” in Abuja that “Today we take a definite step in ensuring peoples’ rights in the healthcare sector are truly respected and protected in part because no one in our country is insulated or immunized from needing medical services” (Adeyemo). Hence this is an important study because our life expectancy is highly dependent on the quality of healthcare services we receive. Therefore good will as a moral guide becomes indispensable in traditional herbal medical practice in Nigeria. Studies as this is a worthy and indeed a necessary and relevant project. Presently, there is a renewed interest and attention on traditional herbal medicine all over the world. This is partly due to the therapeutic benefits embedded in many of our natural herbs and no doubt most of the world population depends on traditional herbal medicine for healthcare services. Africans and Nigeria in particular is gifted with a lot of medicinal herbs that are yet to be exploited. This is a clarion call for all hands to be on deck, both orthodox and traditional herbal practitioners and the government must work together to exploit the medicinal benefits of our natural herbs to achieve the WHO goal of health for all. Traditional herbal medicine practitioners and their marketers need to be encouraged to embrace good will by submitting to scientific experimental procedures, shunning adulteration and use of spurious claims. They need not rely on some rigid dogmas handed down to them from generations past. Traditional Herbal medical practice in Nigeria must move from the dark ages and embrace the scientific rigors of approving herbal remedies. This is important for wider opening of new frontiers of knowledge and the good of humanity in general.

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