

The Murder Trials of Harry K. Thaw (1907 and 1908) and Dr. Arthur Waite (1916) and the
Perplexing Concept of “Constitutional Inferiority”

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Bio: Emil R. Pinta, M.D., is on the emeritus faculty of the department of psychiatry, The Ohio State University. In addition to articles on the history of medicine and psychiatry, he has authored the following books: *History of the Ohio Psychiatric Association and Medical Schools of Ohio* (w. Richard Compton), pub. 1990; *A History of the Department of Psychiatry at The Ohio State University, 1847-1993*, pub. 1994; and “*Paranoia of the Millionaire*”: *Harry K. Thaw’s 1907 Insanity Defense*, pub. 2010. He is a past chair of the history committee of the Ohio Psychiatric Association.

The murder trials of Harry Thaw, in 1907 and 1908, and dentist Dr. Arthur Waite, in 1916, were “celebrity trials” that received widespread newspaper coverage. As such, they brought psychiatry and psychiatric diagnosis into the public’s awareness. Harry Thaw, the son of a railroad multi-millionaire, shot and killed one of America’s best known architects, Stanford White, during the performance of a Broadway musical. The woman in the case, Evelyn Nesbit, was a former model and showgirl. Dr. Waite had been an amateur tennis champion, lived a life of leisure and wealth in New York City, and was named “the playboy murderer” by the press. He confessed to murdering both his mother-in-law and father-in-law with poison to gain control of their fortune.

The trials of both individuals had psychiatric testimony by some of the nation’s leading experts. The defense in Thaw’s first trial maintained that he had experienced a “brainstorm” at the time of the shooting—a concept ridiculed by the press and legal experts. In a second trial, he was found not guilty by reason of insanity. During Thaw’s subsequent sanity hearings, Adolf Meyer, M.D., one of the era’s most influential psychiatrists, diagnosed “constitutional inferiority.” During Waite’s trial, Waite was diagnosed with “moral insanity,” considered a variant of constitutional inferiority, leading to articles in the press describing these conditions. Waite was found guilty of first-degree murder and executed in 1917.

In the early 1900s, constitutional inferiority was defined differently by various experts--ranging from a “catch-all” term for uncategorized diagnoses, to a term designating an absence of conscience and moral values. Gradually, “constitutional psychopathic inferior” came into usage, then “constitutional psychopathic state,” eventually finding its approximate successor as “sociopathic personality disturbance, antisocial reaction,” in the first *Diagnostic and Statistical Manual of Mental Disorders* (DSM-I) in 1952.

Highlights of the trials of Thaw and Waite will be presented. Explanations of “constitutional inferiority” and its various meanings will be attempted, along with its evolution in modern terminology.