



MORGENTHAU

**POWER, PRIVILEGE,
AND THE RISE OF
AN AMERICAN DYNASTY**

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“ never look back.”

In a career unlike any other in the annals of American law, he prosecuted every order of crime and every species of criminal: bribe-takers and bribe-givers, serial killers and drug dealers, Mobbed-up families and Mobbed-up industries, molesters and rapists, stalkers and terrorists, gun-runners and gamblers, prostitutes and vigilantes, loan sharks and digital pirates, bookmakers and boiler-room operators, arms dealers and insider traders. He had seen the good go bad: crooked politicians, crooked cops, crooked bakers, crooked truckers, crooked union bosses, crooked bankers, crooked accountants, crooked ambassadors, crooked priests, crooked rabbis, crooked doctors, crooked coroners, crooked engineers, crooked PTA officers, crooked CIA agents, crooked philanthropists, crooked turnpike authority executives, crooked traders, crooked defense attorneys, crooked prosecutors, crooked judges, and crooked inspectors of everything made in New York City, from its steaks to its skyscrapers to the cement of Yankee Stadium. There were crimes of passion, too, but few by comparison. The urge always seemed to start, and end, with money. Money was oxygen. “Stop the flow,” he would say, “and you’ll stop the crime.”

Now, after thirty-five years as the district attorney of New York County, Robert Morris Morgenthau, at ninety years old, was leaving the job.

A quartet of reporters flanked the DA, one on either side, two across the long table. The last of the farewell press conferences had come weeks earlier; now as he spoke, photographers ducked in and out, edging the

half-packed boxes that formed islands in the cavernous room to record the final hours. It was nearly eight o'clock on a cold Friday evening, New Year's Eve, in the last year of the first decade of the new century, and the district attorney, called "the Boss" by three generations of prosecutors, was holding court one last time.

Since 1937, when Thomas Dewey became district attorney, only three men in New York had won election to the office. Frank Hogan, the dapper Irishman who succeeded Dewey, served thirty-two years. Morgenthau assumed the post in 1975, and stayed in it until 2009. Previously, he had served nine years as the chief federal prosecutor in New York, the United States attorney for the Southern District of New York—from 1961, when John F. Kennedy appointed him, until 1970, when Richard Nixon could suffer him no more. In all, he had been a fixture in the firmament of law and order for six decades—and not only in New York City.

Bob Morgenthau, as only the few he let in close could call him, had no cause to rush his last press conference. Little had he loved more, all these years, than to hold a conclave in his thrall—and he knew he would miss it. Two inches shy of his former six feet, as lean as he was at twenty-one—156¼ pounds then, 157 now—he retained a lanky agility. His gait had slowed to a shuffle, and he had long since given up cigars—Bordeaux remained his lone indulgence—but for years he had practiced tai chi and yoga, switching between the two on alternate mornings.

The face was distinctive, long and angular. He was fine-boned and clean-shaven, his hair a cottony white. His forehead was broad and high, but it was the nose, bent like a hawk's and angled right, that was most prominent. His blue-gray eyes hinted at unseen strength. He seemed to use them as props now, squinting to forecast disbelief and shuttering them with one hand as if to conjure thought. They could be watery, but the eyes were keen, and when opened wide, they revealed a startling depth.

"What will you do?" a reporter asked.

"No plans to quit working," he said.

In the winter of 2009, Morgenthau was not only the retiring district attorney; he was a city institution. At one of the many dinners honoring him that year, he was introduced as the "DA for life—and maybe after." No prosecutor in U.S. history had served longer, and none had had a more profound influence on law enforcement. None of the contenders—Dewey, Hogan, Rudy Giuliani—came close. Even the new man in the

White House hailed the legacy. Introducing his first nominee to the Supreme Court—Sonia Sotomayor, one of the DA’s celebrated protégées—Barack Obama affixed the adjective “legendary” to the Morgenthau name.

Morgenthau had long since outlived ambition or ideology. In his final months in office, asked to explain his endurance, he gave the credit to “luck and longevity.” “You’ve got to have Lady Luck sitting on your shoulder,” he would say. The line—a souvenir of the war, when he faced German bombers in the Mediterranean and Japanese kamikazes in the Pacific—had proven its worth; on the banquet circuit it cut short the questioning, but to his wife, children, and closest friends, the words rang untrue. He was a man, they knew, who drew his resolve and stamina from another source.



Robert Morgenthau was a scion of one of the great American families. His great-grandparents, Lazarus and Babette Morgenthau, arrived in New York from Germany in 1866, the year after Appomattox. Once wealthy, Lazarus had lost everything; he would live to see his children grow rich again. In America, the Morgenthaus fulfilled a dream, becoming “one-hundred-percent American.” They had helped elect presidents, expose a genocide, and wage war. They had formed a dynasty.

Henry Morgenthau, Robert’s grandfather, born in the Grand Duchy of Baden in 1856, was among the first in the Democratic Party to back Woodrow Wilson for president. Henry Jr., Robert’s father, born on the Upper West Side of Manhattan in 1891, was Franklin D. Roosevelt’s longest-serving aide, a confidant of three decades—one of the first to see FDR unable to walk, and among the last to see him alive. And the DA, who raced sailboats with the Kennedys as a boy on Cape Cod, was at Bobby Kennedy’s side on November 22, 1963.

The Morgenthaus belonged to that tribe of would-be patricians, the German Jews: “Our Crowd.” The words could make the DA wince, but his Aunt Hattie, a Lehman, coined the phrase, and his family was one of the aristocracy’s exemplars: New Yorkers who for centuries somehow managed to rise above every barrier—neither German nor Jew. Robert Morgenthau was a lifelong member of Our Crowd and, since his first term as DA, a trustee of Temple Emanu-El, the granite cathedral on Fifth Avenue built to rival St. Patrick’s, fourteen blocks to the south. His “blood,” as his future wife would reassure her Protestant grandmother,

ran “as blue as yours.” The Morgenthau were called the Jewish Kennedys, and remained, as the former mayor Ed Koch remarked, “the closest we’ve got to royalty in New York City.”

The DA relished the lineage. At six, he met Calvin Coolidge in the White House—and had met every president since. The family history also traced many of the century’s decisive turns: the sea-swell of immigration to America, the Armenian genocide, the New Deal, the Holocaust, and the rise, and fall, of organized crime in New York City. Even before the advent of world war, the rise of dictators in Europe, and the appearance of the word “genocide,” Morgenthau had lent their power and privilege to lonely causes. They did not always succeed. But whether out of a foolhardy belief in their own authority, or merely to avoid the guilt of inaction, they seldom recoiled from a fight. Even more rarely did they give ground.

As a boy, Robert Morgenthau rode in his grandfather’s Lincoln limousine, the old man pointing out the buildings along Broadway he had bought and sold. By 1920, Henry Morgenthau could claim world renown. Armenians revered his name. He had exposed their massacre at the hands of the Turks. At home, the powerbrokers of the Democratic Party, which he joked he had once “bought” for \$30,000, called him Uncle Henry, their faithful financier. But he had risen as a real estate man. Others in New York—Astors, Vanderbilts, and Whitneys—gained greater fame, but Henry Morgenthau was one of the first to build a corporate trust. Great swaths of the city passed through his hands: dozens of square blocks of Harlem and Washington Heights, as well as many of its landmarks—the Flatiron, the old B. Altman flagship on Sixth Avenue, the sites of the Belmont and Plaza hotels, even Longacre (now Times) Square. In the decade before the Great War, few men owned more acreage in New York—and fewer still yearned for greater heights. Real estate was never to be Henry Morgenthau’s sole pursuit.

The DA’s father had faced the opposite danger. Henry Morgenthau, Jr., failed out of prep school, flunked out of college—twice—and never graduated either. To critics and rivals, he was Roosevelt’s bagman, the entitled fool FDR entrusted to do his bidding, whether fetching bootleg liquor or selling the New Deal. Henry Jr. had done all that, and fulfilled untold other wishes. But with the rewards had come trials, none more taxing than when he was moved to question—never in distrust, but often in discontent—his greatest friend. Henry Jr. ruled the Treasury for a dozen years, loyal to Roosevelt but also the only member of the cabinet—

as Eleanor Roosevelt would say—able to prod FDR into action. It was too late, and too little, though Henry had forced Roosevelt not only to confront the Holocaust but to save the surviving Jews of Europe.

The district attorney had been raised on West Eighty-first Street off Central Park, and educated at the finest private schools. Yet Robert Morgenthau had “really grown up,” he would say, on the land, on a thousand acres of apple orchards and dairy cows in Dutchess County, where his father sought escape. The farm, with its sweet-smelling dirt and gentle hills, would always draw him. As a toddler, Morgenthau could tell a McIntosh from a Macoun. On the farm, he also became a sportsman—a hunter, an athlete, a steeplechase champion. As their country neighbors, the old Dutch and English clans who had settled the rolling farmland more than a century earlier, learned, the Morgenthaus loved horses. Dutchess County had never seen so many Jews on horseback.

In his ninetieth year, the district attorney accepted it: Time had collapsed around him. In 1919, the year that he was born, the Treaty of Versailles, ending World War I, was signed, Prohibition became law, and a U.S. Navy airplane completed the first transatlantic flight. Days before his birthday, the U.S. Army had dispatched a survey team to learn whether an automobile could cross the country. The DA littered conversations with names from half a century ago, names of friends, family, and colleagues now inscribed on bridges and hospitals, colleges and high schools across the city. He spoke, too, a lost language, the tongue of Old New York: a talking-to was “unshirted hell,” working stiff was “dees-and-dems guys,” a well-heeled family was “first line all the way.”

Morgenthau could survey not only successes but irrevocable losses. He had seen his first wife, his college sweetheart, die young. At fifty-two, Martha had left five children, the youngest a nine-year-old girl. He had remarried, fathered another child, and adopted a seventh. One, his third daughter, was born severely mentally disabled. When she turned four, they had at last heeded the doctor’s advice—“I was chicken,” he would say—and moved her to a school upstate. By fourteen, she had the IQ of an infant. At sixty, she remained in a home. She had never spoken an intelligible word, her father would say.



The district attorney spent his final day at work cleaning out his desk. Treasures kept emerging. In one drawer, at the back, he discovered Tom Dewey’s St. Christopher medallion. Another yielded letters from FDR.

(“Dear Bobby,” read one, “the president is delighted to send you these stamps for your collection.”) Everywhere, it seemed, mementos resurfaced: his mother’s diary; a Navy epaulet from the war; an album that his grandfather had commissioned. Its leather cover—stamped with gilded letters MORGENTHAU FAMILY—was giving way at the edges, but the miniature portraits inside, stretching back to 1773, remained intact, an assemblage that bridged two worlds. It was a family museum, briefly reassembled before disappearing again into boxes, relics that the DA would never see again.

Outside, the streetlights had come on. The windows were shut but the thrum of Foley Square, the no-man’s-land of the city’s legal battleground, came through. The armies of workers, every rank of the city and state, spilled out from the granite walls along the courthouses, as the holiday carousel spun. Lawyers, clerks, and cops crowded the sidewalks, joining stray tourists in the rush to mark the year’s end.

Morgenthau had won nine terms, enduring five mayors and nine police commissioners. He’d suffered failure, even reigned over judicial miscarriages. Some, like the Central Park Jogger case, would be etched into his obituary. He hated the failures; they burned anew at each mentioning. Yet on his watch America almost forgot the crime epidemic that had once brought New York low. The drop in homicides—the result, he often acknowledged, of forces not wholly within his control—told the story: from 648 in Manhattan in 1975, the year he took office, to 48 in his last.

The DA shuffled past his private bathroom, a dark cubbyhole, its walls coated with downtown soot. A can of shaving cream, its red and white stripes rusted, sat on the chipped enamel. The DA descended to the street, as he always did, by private elevator—“the Judge’s Elevator”—and exited a side door. The car at the curb was enormous and black, its windows darkened—the carriage of officialdom. Beside it, Robert Morgenthau, citizen, looked small.



This is the story of four generations of an American family and of the America they served and built. The Morgenthaus span one hundred fifty years of American history. They were New Yorkers through and through, yet they looked to the national political horizon. There were Morgenthaus among the progressives in Woodrow Wilson’s Washington, the New Dealers in FDR’s, and the New Frontiersmen in JFK’s. Abroad, this American saga touches down in the Rhine River valley in the nineteenth

century, in the Ottoman Empire and Palestine on the eve of World War I, in the cold waters of the Mediterranean during World War II and the deadly seas of the Japanese home islands. At home, each Morgenthau generation broke the bounds of the permissible and the accepted, forging history amid a cast of the celebrated (Mrs. Astor, Eleanor Roosevelt, Bobby Kennedy) and the infamous (Joe Bonanno, Roy Cohn, Donald Trump). Hundreds of books have traced the historical turns of the last century—the mass murder of the Armenians, the recovery from the Depression, the fight to ready America for World War II, the struggle to save the Jews of Europe, and the campaign to curb organized crime in America—but the history looks different through the prism of the House of Morgenthau, whose sons played key roles in all of them. It poses new questions: How does one Morgenthau, the patriarch Lazarus, come to America having lost one fortune, manage to lose another—and to cheat prison only in death? How does another, Henry Sr., forced to quit college, rise to become one of New York City’s first real estate barons? How does his son, Henry Jr., stand beside FDR, his closest friend, in anguish as millions of his fellow Jews are murdered in Europe, and then, straining his friendship, act to rescue them? Finally, how does the last of the line of America’s most-storied Jewish family come to preside over the most important prosecutorial district in the country for five decades (first as U.S. attorney, then as DA)—overseeing, by a conservative tally, three million cases, from the advent of “white-collar crime” to the judicial miscarriage of the Central Park Five, and turn the Manhattan DA’s office into a law-enforcement bureau for international financial crime?

The saga of the Morgenthau family has lain half-hidden in the American shadows for too long. At heart a family history, it is also a far-flung epic, as big and improbable as the country itself.