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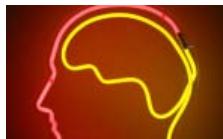
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## ARTICLES

### How a Terrorist Bombing Pitted an Artist Against One of the World's Largest Banks

by Tiernan Morgan on June 6, 2014 0

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# BOMBS RIP WALL ST.

## Exchanges, Merrill Lynch hit

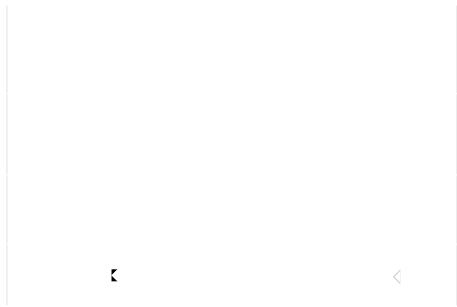


Guard looks through shattered window after explosion ripped Chase Manhattan Bank last night. Three other buildings in Wall St. area also were hit. Page 3

*Photocopy of the cover of Daily News New York, March 1, 1982 (all photographs courtesy of Mimi Smith unless otherwise noted)*

Just before midnight on February 28, 1982 (contemporary accounts differ as to the exact time), a bomb comprised of multiple sticks of dynamite exploded outside of Merrill Lynch & Company in New York's Financial District. It was to be the first of four bombs. Within 30 minutes there were explosions outside the New York Stock Exchange, the American Stock Exchange, and the Chase Manhattan Bank headquarters at 1 Chase Plaza. The bombs shattered glass entrances and mangled lobby doorways. Jeff Stein, a lawyer who worked at Chase Plaza, told the *New York Times*, "I thought it was a ship blowing up in the harbor. They were tremendous sounds, like thunder." Remarkably, no one was hurt, but in the ensuing panic the NYPD were inundated with calls regarding suspicious packages.

Shortly after the first explosion, an anonymous call was made to the Associated Press.



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The recipient was told that a note had been left on a pay phone at 91st Street and Riverside Drive. It stated that the bombings had been “a strike against imperialist forces.” The so-called ‘Wall Street bombings’ were the work of the Puerto Rican nationalist group [FALN](#) (Fuerzas Armadas de Liberación Nacional Puertorriqueña — the Armed Forces of National Liberation), a terrorist organization notorious for the [Fraunces Tavern bombing of 1975](#), which killed four people and injured over fifty.

One of the most widely syndicated photographs in the wake of the bombings was of a security guard by the entrance of 1 Chase Plaza. The windows have been completely blown in and shards of glass are scattered around his feet. The guard is lifting the corner of an artwork in order to survey the damage. The work was one of four pieces by [Mimi Smith](#), part of an installation entitled “October 1, 1981.” Following the bombing, Smith wrote to the bank inquiring about their insurance policy and requesting damages for the works. Three years later, the artist sued Chase Manhattan Bank, commencing a four-year legal battle.



*Mimi Smith, "Steel Wool Peignoir" (1966), steel, wool, nylon, lace, 59 x 26 x 8 inches (Collection of Spencer Art Museum, Kansas)*

Smith, now in her early seventies, was reluctant to discuss the legal case. I had first learnt of the bombings while scouring the [PAD/D archive](#) at MoMA QNS. Chatting with Smith, who's soft-spoken and self-deprecating, is congruent to the experience of her artwork; her creations, unassuming at a glance, have a sharp undercurrent of ferocity and critique. Smith is best known for her 'clothing art' produced during the sixties, the exemplar being “Steel Wool Peignoir” (1966), a negligee comprised of steel wool and lace, a brutal deflation of marital romance vis-à-vis domestic drudgery. Other works include “Model Dress” (1965), a transparent dress of absurdly lithe, unattainable proportions, and “Bikini” (1965), a send-up of the voyeuristic male gaze. The artist has persistently used the trappings of domesticity to her advantage, employing the subject matter as material for feminist critique. In the mid-'70s, Smith focused her attention on television, initiating a series

of pencil drawings comprised of written extracts from the news. It was to this body of work that “October 1, 1981” belonged.

Around fall 1981, Smith submitted a formal proposal to artist Jacki Apple. Apple was working with the [Lower Manhattan Cultural Council](#) (LMCC) to curate a public exhibition at three major downtown banks: 1 Chase Manhattan Plaza, Marine Midland Bank (140 Broadway), and Chemical Bank (20 Pine Street). The exhibition, entitled *Art Lobby*, included Smith, Jenny Holzer, Peter Fend, and Lauren Ewing. Smith's and Ewing's works

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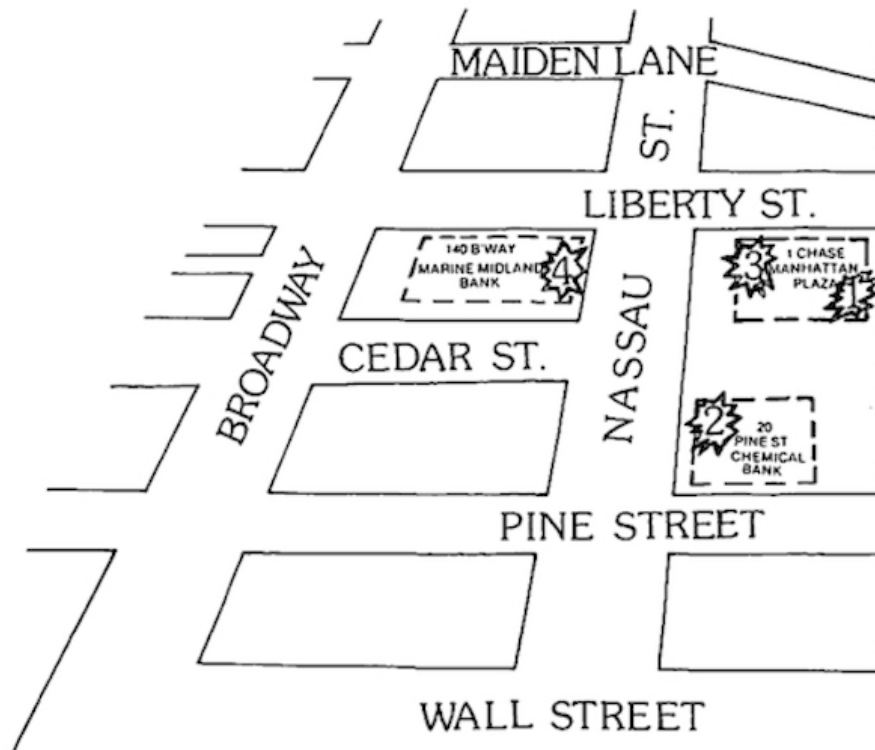


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were displayed at 1 Chase Plaza, Holzer's at 140 Broadway, and Fend's at 20 Pine Street. Smith was the only exhibitor to have work destroyed in the bombings.

## ART LOBBY



## FEBRUARY 1982

*Photocopy of the Lower Manhattan Cultural Council's guide to 'Art Lobby,' 1982. In a bizarre coincidence, the starred locations look like a news outlet's visual guide to a bombing incident.*

Remarkably, no objections were raised by the artists' proposals despite the fact that their work slyly critiqued the worlds of finance and big business. Ewing's piece, "The Bank: Opus Proprium," an eight-foot-high wooden structure described in the show's press material as a "counterfeit bank," included two video monitors with "commentary on the principles of savings and non devalued currency." Holzer's work consisted of over 200 of her trademark 'truisms,' parodies of popular platitudes and cliches. Peter Fend's project, *Global System*, was executed by the Ocean Earth Construction and Development Corporation (OECD), a firm he co-established with Holzer, Colen Fitzgibbon, Peter Nadin, Robin Winters, and Richard Prince in 1980. When I asked Smith why the banks had raised no preliminary objections to the work, she replied matter of factly, "everything was

fine with these people. They're the people who buy art."



*Installation view of Lauren Ewing's, "The Bank: Opus Proprium" (1982). The work survived the FALN bombing unscathed. (photograph courtesy Lauren Ewing)*

"October 1, 1981," referring to the start of the fiscal year, primarily consists of written extracts from the day's news, specifically the initiation of President Ronald Reagan's financial policies. Each silkscreen drawing includes an outline of a television set, the written extracts arranged within the center of each screen. The four pieces, each measuring seven by nine feet, were displayed along the west wall of the bank. The works also incorporated phrases overheard by Smith while touring the New York Stock Exchange and streets of the financial district; "Money money money ... we need more money ... I need a raise ... he wasn't very successful ... " The pieces were accompanied by a recording in which Smith read both the evening's news as well as snippets of the conversations she had overheard. The result was a cacophony of jumbled, and at times complementary, utterances. As the artist stated in the LMCC's newsletter (Feb. 1982), "I have two children and it seemed as if the television was always on. I'd rarely see it — it was the constant sound of droning voices from another room that finally got to me." Those same voices eventually rankled Chase's PR department.



*Onlookers studying a silkscreen panel, part of Mimi Smith's installation 'October 1, 1981' (1982)*

At first, everything seemed to be going well. Jack Boulton, Chase's art adviser, had signed off on Smith's piece, and bank employees responded positively to the installation. With the debate surrounding Richard Serra's controversial sculpture "[Titled Arc](#)" (1981) ongoing, Smith had purposely made her installation as unintrusive as possible. "I didn't set out to offend anyone," Smith told me. "I looked at the lobby ... I really studied it. At lunchtime people would walk around the outside

for exercise, or mingle. I made the pieces out of silk, in all different colors, so that they could be seen through. I thought of them as stained glass windows, as if Chase were the

new religion.”

Over at Marine Midland Bank, an anonymous complaint had been made about Jenny Holzer's contribution to the exhibition. According to Lucy Lippard (*Village Voice*, March 2, 1982), the complainant was “confused” by Holzer's truisms and “didn't agree with some of the statements.” Lippard quoted a public relations officer at the bank: “This is a financial institution. How can you expect us to have a statement in the window saying ‘It's not good to operate on credit?’” Holzer's piece was taken down while she was abroad and unable to intervene.

Soon after, “October 1, 1981” was in the firing line. Smith, who regularly traveled from her studio to check on the installation's audio, had heard rumors of discontent from the bank's guards. One of the four pieces, the one closest to the lobby entrance, was being “read too much.” The work included statements that Smith had heard while touring the New York Stock Exchange. “What was said on the stock exchange piece ... was so mundane,” Smith mused. “I think they [Chase's PR department] thought people would think it stated what was happening *that* day. I don't know. It was totally nuts ... I never quite fully understood it.”

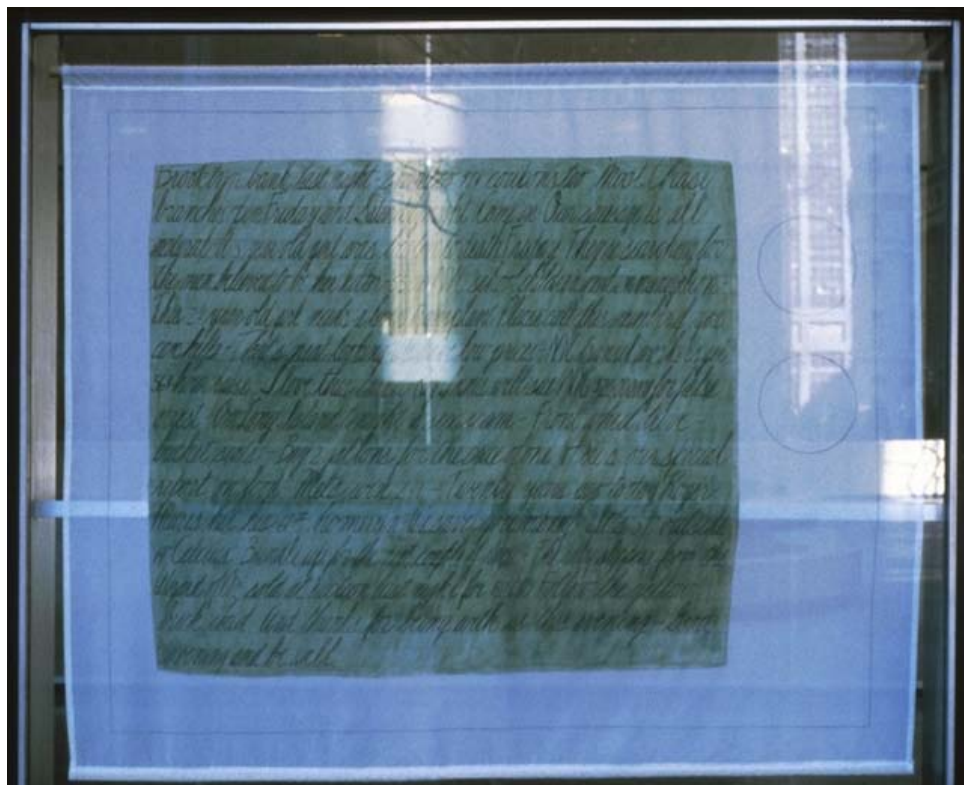


*Installation view of Mimi Smith's "October 1, 1981" (1982), displayed along the western wall of the lobby at 1 Chase Plaza*

After much wrangling, the artist reached a compromise with the bank, swapping the location of the offending piece with another that was a few feet away. Ironically, this meant that the piece in question was the least damaged when FALN's bomb exploded on the penultimate day of the exhibition. Complaints had also been made about the installation's audio component, resulting in the speakers being replaced with headphones. For Kate Linker, a colleague of Smith's from the art collective PAD/D, the response to *Art Lobby* by its hosts was a case of “institutional paranoia.” In her review for *Artforum* (May, 1982), Linker chastised the participants of the exhibition for working “in complicity” with the banks, acknowledging however, that “the lures of public access prevailed.” In her concluding remarks, Linker stated that “it is the officials who, though fully aware of the artists' intent, seemed to expect a masking of chromatic haze, who seem finally more worthy of censure.” In her *Village Voice* article, Lippard wryly remarked that banks usually prefer “abstractions and tapestries.”

The morning after the bombing, Smith was called by a friend who, living on Broadway, had expressed concern for her work. Soon after, the LMCC called to deliver the bad news. When Smith arrived at the bank, the works had already been taken down and rolled up.

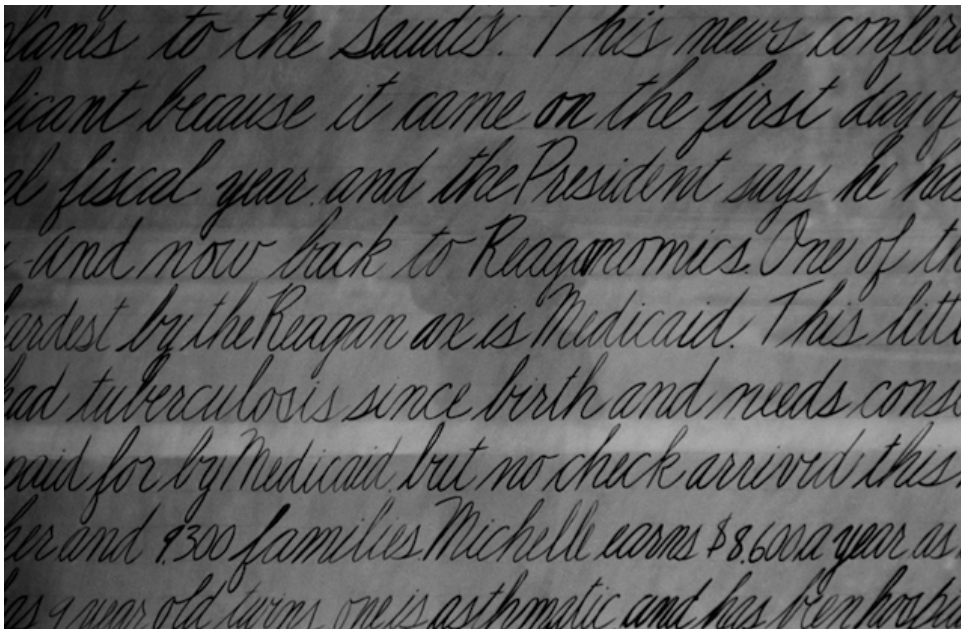
"The work was not fixable," Smith told me. "Two had lots of rips, holes ... another one was ripped, but less so, and the one down at the end was the least damaged. They were all very dirty. Someone rolled them all back around onto the dowels I had hung them from. I rewrapped them in clean plastic but never unrolled them all the way." All the pieces were embedded with fragments of glass.



Detail from Mimi Smith's "October 1, 1981" (1982)

Though she hadn't specifically asked the bank about insurance, Smith wrote to Chase requesting \$6,000. The bank responded that it wasn't liable as the bomb was placed outside the lobby entrance. "Even though they own the plaza, which was pretty crazy," Smith told me. "I never asked about insurance. It didn't even occur to me. They have a giant collection. There's art all over the building."

Disheartened, the artist initially took no further action, though gradually other artists and friends encouraged her to persevere. "People kept telling me to do something, encouraging me really, and they were right. It was a case of artist's rights. They were taking advantage of an artist. If they had given me anything I would have shut up and gone home," Smith explained. In February 1985, right before the statute of limitations was due to expire, Smith hired the services of attorney Bonnie Josephs and sued Chase Bank for the maximum amount of \$25,000. "I'm doing this now for principle," the artist told the *New York Law Journal*. "I won't make a penny out of this."



Detail from Mimi Smith's "October 1, 1981" (1982)

Josephs argued that it is a custom in the art business for the host or venue to inform the artist as to whether they have to insure their own work. As she explained to NPR:

Artists are vulnerable to the power of exhibitors. They need exhibitors very much, and when an artist is new, or possibly less successful than maybe he or she will be later on, [they] are often asked to do things that are risky and dangerous ... Sometimes they'll be asked to exhibit in places where the exhibitor will specifically say to them, and this is the routine ... the custom, 'look we don't carry insurance,' and they ask the artist to sign off. An artist without a public, without money, will accept that risk to get exposure. And that's something [the exhibitor] should consciously, not unconsciously do.

A number of art world luminaries, including the critic Rackstraw Downes and John Coplans, photographer and former editor of *Artforum*, publicly backed Smith. But despite significant media attention, the case dragged on for four years. *Art in America* (December, 1989) opined that the bank's behavior was "out of character." Renowned for its arts patronage, Chase's collection was said to be worth around \$20 million at the time. The magazine went on to report that lawyers for Chase had drawn out preliminary depositions for more than four years, refusing to disclose its insurance coverage and appealing an order to do so to a higher court:

The bank was finally prompted to settle only after an appellate court denied Chase's request for a summary judgement and ordered long-delayed depositions in preparation for trial. In the end, Chase paid Smith \$12,500, more than double her original request — though this amount was consumed by court costs.

Smith declined to state how much the litigation had cost her. If there was a silver lining, it was that the case gave legal credence to the custom regarding insurance in the art trade.



The four silkscreens of "October 1, 1981" have remained rolled up and sealed in cardboard tubes for over thirty years. For a while, a work about the news had been the subject of the news itself. An extract on one of the pieces even mentions a bombing — such is the ubiquity of such incidents. "My dealer had always wanted to do a show using them as she felt they were pretty powerful pieces." Smith paused thoughtfully. "*Mimi Smith v. Chase Manhattan Bank of North America*: I always thought I should make a piece with that title!"

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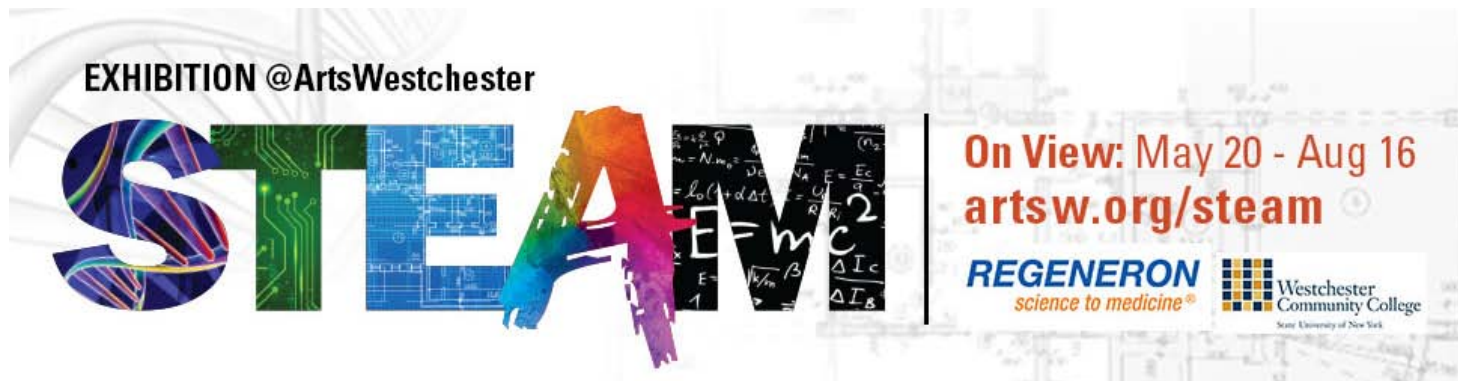


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