What If Nancy Reagan’s Astrologer Had Sued? An Essay

Barrett Seaman*
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I. INTRODUCTION

The revelation in the final months of Ronald Reagan’s presidency that First Lady Nancy Reagan relied on the prognostications of an astrologer to help determine her husband’s schedule—including the timing of his signature on a major arms control treaty with the Soviet Union—was itself hardly the fruit of journalistic enterprise. That essential detail, which titillated the nation in May of 1988, was handed to the press on a platter, as it were. Actually, it was not on a platter, but rather in a plain brown cardboard box containing the manuscript of Donald T. Regan’s White House memoir entitled, For The Record.¹ I can attest to that, as I was the recipient of that box—delivered to me by the book’s publisher, Harcourt Brace Jovanovitch. I was to read it, and recommend to my editors at Time Magazine whether Time should purchase the rights to run excerpts in the magazine, prior to the book’s publication later that year.

Don Regan, who had been President Reagan’s Treasury Secretary, then his Chief of Staff, was ousted from this last job in February 1987, in a “palace coup” that was widely believed to have been engineered by Nancy Reagan herself. Less than a year and a half later, Don Regan’s revenge was

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ripe and ready for picking. Because *Time* was the first periodical approached by the publisher, and because I, as the magazine’s Senior White House Correspondent, covered the Reagan/Regan White House during his tenure, I was handed an instant “scoop” that seemed certain to make a big splash.

Don Regan certainly knew the news value of what he had. The opening anecdote on the very first page of his three hundred ninety-seven page book described how Mrs. Reagan allegedly tried to influence the timing of her husband’s surgery for colon cancer based on advice from her astrologer—“a woman in San Francisco,” as Don Regan reported. In fact, that is all Don Regan knew about the woman, otherwise known as the First Lady’s “Friend.” His story was about the consequences of what he saw as meddling with the affairs of state which he, as Chief of Staff, saw as his, and her husband’s, purview. His goal in exposing this bit of sensation was to explain why working in the White House during Reagan’s second term, a critical period which encompassed the high drama of the Reagan/Gorbachev summit meetings leading to the end of the Cold War as well as the sometimes farcical shenanigans of the Iran-Contra affair, had been so difficult for him.

My recommendation to *Time’s* editors was, as they say, “a no-brainer:” they should buy the rights to excerpt the book. It was not merely a matter of titillation. Don Regan’s book contained valuable insights into the Reagan presidency. Additionally, the allegation that an astrologer played a role in the timing, if not the substance, of policy was, in and of itself, indisputably newsworthy. The job then fell to Executive Editor Ronald Kriss and myself to target the most relevant and interesting sections, and meld them together into a package that would run over thirteen pages in *Time*. The other job, one that fell largely to me, was to both confirm and elaborate on Don Regan’s account—to bring some added journalistic value to the story. Journalistic value that would include some commentary, which would put Don Regan’s obviously personal—and therefore biased—recollections into perspective. However, I felt it should also include whatever additional information *Time* could provide about the influence of Mrs. Reagan’s astrologer friend, and the opinions of other administration

2. This was partly attributable to Regan’s thought that *Time*’s coverage of him had been more balanced than that of its arch rival *Newsweek*.
4. *Id.*
5. *Id.*
officials as to its impact on policy and history—which, after all, is what journalism should be about. Among my key questions: Who was this “Friend” whose parsings of the heavens had, by Don Regan’s account, wreaked such havoc on the President’s schedule and, in the case of the White House’s response to the Iran-Contra scandal, arguably affected Reagan’s political standing?

II. FINDING JOAN QUIGLEY

Privacy is an issue that seldom enters the calculus of journalists covering the White House. The law firmly establishes that virtually anyone—including the First Lady—associated with the place is a “public figure” whose actions and speech is deemed to be relevant to the affairs of state, and thus inherently “newsworthy.”7 Nancy Reagan’s belief in astrological powers—long-held, but deeply reinforced after Ronald Hinckley’s assassination attempt on her husband in March, 1981—was fair game for media scrutiny, as were all the actions and reactions by her husband’s staff.

However, if I were to discover the identity of the “Friend,” which I fully intended to do; would Time’s subsequent delvings into her personal life, her relationship with the Reagans, her character, constitute an invasion of her privacy? By exposing the “Friend” as the person who abetted what Time eventually characterized as Mrs. Reagan’s “more than a charming eccentricity,”8 would the magazine be liable for subjecting this otherwise private citizen to public ridicule?

To be candid, I did not think much about these questions as I began my efforts to “flesh out” the details of Don Regan’s allegations. I was much more concerned with protecting Time’s exclusive story. I found myself approaching White House sources in an almost conspiratorial fashion. I informed them, in private interviews, that I was aware of Nancy’s astrologer friend. I encouraged them to confirm what Don Regan had written, to reveal any new details they had about her influence, and to join with me, in essentially, a pact of silence that would keep a lid on the story until Time went to press. Under our agreement with Harcourt Brace Jovanovitch, publication would not happen until late June, so that it would precede the early summer publication of For The Record.9 In news-driven Washington,

8. Seaman, supra note 6, at 25.
and around a White House that was covered by more than two hundred reporters on a regular basis, three months was a long time to sit on a scoop.

Many of the President’s aides, who had been living with the explosive knowledge of Nancy’s astrologer for years, were at first shocked to learn from me that Don Regan was to reveal the existence of the “Friend” in his book. All were loyal to the President and wanted to mitigate whatever damage the news might bring down on him. However, as human beings, the President’s aides were also anxious to absolve themselves of any connection to the astrologer—and to use this opportunity to explain why their own jobs had been complicated by her influence. As such, they proved quite helpful in confirming—and even expanding on—what Don Regan had in his book.

Where the President’s aides were unhelpful was on the issue that eluded Don Regan as well: who was this woman? This detail was a closely-guarded secret in the East Wing. Only a handful of people knew. Moreover, no one who knew the identity of the “Friend” was willing to divulge it to me.

There was, however, one source, who I did not, and still will not, identify, who agreed to confirm the name if I were to come up with it independently. Thus, my search became somewhat like that of the miller’s daughter-turned-queen in the fairy tale of Rumplestiltskin. In order to keep from being beheaded by the king, her husband, she needed to discover the name of the little man who could spin straw into gold. For me, the consequences of failure were not nearly so dire as they were for the miller’s daughter; however, as a journalist, I was still determined to find her out.

The information available to Don Regan was certainly enough to get us started. Myself and a number of Time colleagues, who would become involved in this search, knew the astrologer was a female. We knew she was from San Francisco, and we could infer from Mrs. Reagan’s references to her as “my friend” that she was very likely a woman of about the same age and social status. We were able to rule out the obvious, like the renowned

10. Either on “background” or “off the record,” in the parlance of Washington journalism.
11. The East Wing is a term used to describe the residential side of the White House and the First Lady’s staff—as distinct from the West Wing, where the President’s top assistants worked.
13. Id.
Jeanne Dixon, who had once advised both Reagans on their charts,14 and Joyce Jillson, a seer whose clients tended to be Hollywood types.15

I did have one additional clue that Don Regan did not: a source told me this "Friend" had attended a state dinner at the White House sometime during Reagan's second term, which began in January of 1985. There had been only about half a dozen formal occasions held to honor heads of state in Washington on officials visit, leaving somewhere in the range of 120 to 130 guests at each function. Thus, it was not an onerous task to comb through the records to see if an otherwise unidentified woman from San Francisco was on one of the lists.

The next step was to make use of Time's extensive network of bureaus, one of which was in San Francisco. Briefed on what little information I had, bureau chief Paul Witteman assigned one of his best "stringers"16 to the story. Reporter Dennis Wyss began searching the city's newspaper society columns and periodicals that might include coverage of astrology, as well as interviewing astrology buffs and local friends of the Reagans.

With just two weeks remaining before the issue of Time in which the Regan book excerpts and related news stories were scheduled to run, other news organizations began to speculate about what the book might reveal. While several papers hinted that astrology might be involved, by late April, no one yet had the story. I, however, grew increasingly concerned that other media organizations were getting hot. I advised Ron Kriss and other New York editors that, in my view, it would be prudent to push our story up a week so that it came out on Monday, May 9, instead of on May 16. Though the arduous task of excerpting and fitting Regan's own words was not yet completed, they agreed it was worth a sprint to the finish to preserve our exclusive story.

Meanwhile, Dennis Wyss was honing in on a couple of likely prospects for Mrs. Reagan's "Friend." On Friday, May 6, the San Francisco Chronicle ran a short item speculating that Nob Hill socialite Joan Quigley, who coincidentally was a friend of the Reagans, had written several books on astrology and might have been advising the White House.17 Paul Witteman called me in Washington to see if her name checked out on any of the White House guest lists. It did. Joan Quigley, according to White House records,

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15. Id.
16. Stringers are professional journalists not directly employed by the magazine but used on an as-needed basis to supplement the work of Time's correspondents.
was in attendance at the April 1985 state dinner honoring the visiting President of Algeria.\textsuperscript{18}

We had two more reporting days left before the close of the May 16 issue.\textsuperscript{19} That was not much time in which to check out this vital piece of information, or to find out whatever else we could about Joan Quigley, and, if possible, to talk to her. My first step was to try to reach the source who had promised to confirm her name if we came up with it independently. That proved moderately difficult, as the source was traveling and not easily reachable. Shortly after two o'clock Friday afternoon, my office phone rang and a familiar voice asked what I had. “Joan Quigley,” I said. “How did you find her?” was the reply. Given my past, mutually-trusting relationship with this source, that was confirmation enough for me.

Finding Joan Quigley in person proved to be more challenging. It was critical for us to have not only corroborating information that she was the soon to be the notorious “Friend” of the First Lady, but also for us to hear from Ms. Quigley herself. However, she was out of the country—in London, it seemed—and not due back in San Francisco until late Saturday, when the magazine would be all but put to bed.

Dennis Wyss set about interviewing Quigley’s Nob Hill friends and neighbors. Researchers in our New York headquarters dug up everything they could on Ms. Quigley—her graduation from Vassar in 1947,\textsuperscript{20} her initial involvement in astrology,\textsuperscript{21} her several books on the subject,\textsuperscript{22} and evidence of her connection with the Reagans. Meanwhile, New York stringer Wayne Swoboda tracked down what flight Quigley and her traveling companion were on from London to New York. He then managed to book himself onto the New York-to-San Francisco leg of the trip and interview the astrologer. When the plane landed in San Francisco, Bureau Chief Paul Witteman and stringer Dennis Wyss were there to greet them.

\begin{itemize}
\item \textsuperscript{18} The White House maintains public records of the guest lists of all official functions, including state dinners. In 1988, all a reporter had to do was check the White House Press Office’s files for the guest lists of state dinners. Nowadays, these lists are available on the White House web site.
\item \textsuperscript{19} Issues are always dated one week after the Monday on which they actually hit newsstands.
\item \textsuperscript{20} Seaman, \textit{supra} note 6, at 25.
\item \textsuperscript{21} \textit{Id.}
\item \textsuperscript{22} \textit{See generally} Joan Quigley, \textit{What Does Joan Say?: My Seven Years as White House Astrologer to Nancy and Ronald Reagan} (1990).
\end{itemize}
III. THE STORY

The result for *Time* was a fifteen-page package, introduced by a story I wrote attempting to put these revelations in perspective. Then came Regan’s excerpts, followed by a one page story identifying Quigley. It recounted her first fascination with astrology, her role as a columnist for Seventeen Magazine, as well as her books and other public pronouncements on the subject. It was rich with biographical detail and included the following paragraphs. Joan Quigley was described as:

Thin and well-coiffed, Quigley, sixtyish, is not unlike many of the First Lady’s California friends. The daughters of John B. Quigley, a San Francisco hotelier and prominent Republican, Joan and her sister Ruth grew up in a penthouse suite overlooking Union Square. Although both were noted for their beauty, neither married. Today the sisters reside in a luxurious cream-color apartment building atop exclusive Nob Hill. Both are fixtures at local theater openings and society fund raisers. “Joan is elegant, witty, articulate and strikingly pretty,” says her friend Beatrice Bowles. But another acquaintance of 20 years who requested anonymity describes Quigley as “conservative, very private and a little wacky.”

The story went on to quote Quigley herself extensively on her astrological philosophy. However, it also noted that

[...]veral fellow astrologers are decidedly cool toward Quigley. Marion D. March, who prepares charts for many Hollywood stars, dismisses her as a “media astrologer” because of her many TV appearances. Others in the astrological community grouse that Quigley is too aloof. But Jayj (sic) Jacobs, another San Francisco practitioner, asks, “If she’s doing astrology for the Reagans, what does she need with the rest of the community?”

While *Time*’s tone was respectful, there was no missing an overall assumption of skepticism in both my piece and the Quigley piece, which was written by New York staff writer Laurence Zuckerman, based on reporting

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26. Id.
27. *Id.*
by stringers Wyss and Swoboda. The kicker of the story noted that "[a]ccording to a friend, Quigley had been predicting for months that a major earthquake would rock San Francisco on May 5... [b]ut, May 5 came and went with nary a tremble—except perhaps on Quigley’s personal Richter scale. That was the last day of blissful anonymity for the First Lady’s astrologer."

When the May 16 issue of Time hit the streets on Monday, May 9, there was plenty of reaction. The President himself directed his ire not at Time but at Don Regan. "From what I hear, he’s chosen to attack my wife, and I don’t look kindly on that at all," he said. From San Francisco, where hordes of reporters descended upon Joan Quigley’s Nob Hill apartment, there was not so much as a peep of protest from the astrologer herself.

IV. QUIGLEY’S RIGHT TO PRIVACY

However, what if an enterprising personal injury lawyer had gotten to Joan Quigley and convinced her that she had a case against Time? After all, she resided in California, where, lawyers tell me, the courts have been comparatively liberal in their willingness to entertain cases that test all four of Prosser’s categories for privacy invasion. One currently before the courts involves a little league baseball team whose coach had been accused of sexually molesting as many as half a dozen of his current players. Sports Illustrated, a sister publication of Time, ran a photograph of the entire team. That prompted three separate groups to sue: 1) several players pictured, who had not been molested, on grounds that the photo linked them to teammates, who had been molested, thereby casting them in a false light; 2) two assistant coaches on similar grounds of false light; and 3) some of the actual victims, for invasion of privacy.

Some legal observers are surprised the California courts even allowed the case to go forward, especially since the coach himself is already serving an eighty-four year sentence, having admitted to molesting over two hundred

28. Id.
29. Seaman, supra note 6, at 25.
32. Id. at 506.
34. M.G., 107 Cal. Rptr. 2d at 507.
Seaman: What If Nancy Reagan's Astrologer Had Sued? An Essay

boys during a thirty-year coaching career. If that case can be heard in California, might not Joan Quigley have had a chance to give *Time* a hard time? If so, then what could she possibly claim? She could not claim that 1) *Time* had falsely identified her as Nancy Reagan's astrologer; Ms. Quigley herself confirmed that essential truth; 2) any embarrassing facts about her private life had been exposed; 3) any commercial rights had been misappropriated; or 4) *Time*'s public exposure of private facts caused any discernible harm to Ms. Quigley, or her career.

Matters might have been different, however, if *Time*'s reporting had turned up and published, more personal details about Quigley's life. For example, what if, the magazine had, in its search for a fuller picture of Ms. Quigley's San Francisco lifestyle, learned that the Nob Hill society matron was more than a spinster—that she was gay?

Let us assume, for the sake of argument, that reporter Wyss was told that very thing by several sources—or maybe even by the quoted blind-source; and that he filed it to *Time*'s New York writers and editors. Let us also assume that *Time*'s editors deemed her sexual orientation to be a newsworthy detail, and had included it in the story. Would that not constitute the kind of public disclosure of a private fact that would warrant a lawsuit? The California Court of Appeal heard a similar case brought by Oliver "Bill" Sipple against the *San Francisco Chronicle*, its renowned columnist.

35. While working on this article, the author contacted three prominent first amendment lawyers who, speaking off the record, remarked on the peculiar situation this case presented.


37. Probably the best evidence of this is in Quigley’s book, by looking merely at the title and how she recounts how *Time*'s reporter approached her on the plane from New York to San Francisco and asked for an interview. *See Quigley*, supra note 22, at 21–22. Quigley says she granted it, in spite of Nancy Reagan’s adamant admonition that she should not reveal her identity. The publication of the book is, to me, anyway, prima facie evidence that Quigley did not suffer from *Time*'s exposure, and in fact materially benefited from it. *Id.*

38. The notion of stipulating a potentially more complicated—hence interesting—legal scenario was suggested to me by Bruce Sanford, a First Amendment attorney with Baker & Hostetler, based in Washington, DC.

39. I make this a hypothetical assumption since it would have been unusual for a conservative Republican White House to be relying on the stargazing prognostications of a lesbian.

40. The elements needed to establish a case for invasion of privacy depends on state law, but it is generally a cause, for publishing facts that are offensive and not newsworthy. *Cape Publ’ns, Inc. v. Hitchner*, 549 So. 2d 1374, 1377 (Fla. 1989).

Herb Caen, and a number of other newspapers that picked up on the story in 1975. 42 Sipple was the man who reached through a crowd and grabbed the arm of Sara Jane Moore, foiling her attempt to assassinate President Gerald R. Ford. 43 Suddenly and involuntarily thrust into the public limelight, Sipple drew national coverage as an ordinary man who became an uncommon hero. 44 However, Caen’s column went further than just extolling his heroism; it reported that the ex-marine was a familiar figure in San Francisco’s gay bar scene. 45

Sipple’s subsequent suit alleged that the paper published this intimate detail of his personal life without his consent; and that it caused him personal anguish because, among other outcomes, his parent, brothers, and sister learned of his homosexuality for the first time in the public domain. 46 His lawyers argued that Caen’s story met the criteria for a tortious act. 47 It constituted public exposure. 48 His sexual preference constituted a private fact. 49 The consequences of its revelation were offensive and objectionable to a reasonable person. 50 Moreover, this particular detail of his private life was of no legitimate public concern. 51 The trial court initially agreed to hear the case, rejecting the defendant’s Motion for Summary Judgment. 52 Eventually it reversed that position, based on facts revealed during the discovery process, and Sipple appealed. 53

Ultimately, the California appeals court agreed with the lower court ruling, and dismissed the action. 54 In its opinion, the court ruled that Sipple’s sexual preference was not a private fact, since his homosexuality was widely known in San Francisco’s gay community. 55 It further rejected the plaintiff’s contention that this detail had no news value, arguing that its

42. Id. at 666.
43. Id. 201 Cal. Rptr. at 666.
44. Id.
45. Id.
46. Sipple, 201 Cal. Rptr. at 667.
47. Id.
48. Id.
49. Id.
50. Id.
51. Sipple, 201 Cal. Rptr. at 667.
52. Id.
53. Id.
54. Id. at 671.
55. Id. at 670.
Seaman: What If Nancy Reagan’s Astrologer Had Sued? An Essay

2002] Seaman 287

revelation helped to dispel the stereotype that all homosexuals are timid, weak, or unheroic.56

Because the courts’ standards of newsworthiness are so broad, it seems likely to me that Joan Quigley, faced with a similar revelation by Time, would have fared no better in court than Mr. Sipple. If we assume, again hypothetically, that she was more discreet than Sipple and did not hang around gay bars, her claim of the disclosure of a private fact might be strengthened. Further, if publication of her sexual proclivity had caused Nob Hill to shun her, or prompted a prominent charity to throw her off its board, she would have a stronger case that the publication had caused her material harm.57 If her lawyer was able to open that argumentative thread, could she not dip back into the mainstream arguing that her consultative relationship with the First Lady was itself a private fact worthy of protection?

V. CONCLUSION

What disturbs me, as a journalist, is the lack of clarity in the concept of false light. It strikes me, both in the Sipple case and in the hypothetical case of Joan Quigley’s sexual tendencies, that the definitions of what is private and what is offensive and damaging are totally subjective. If Time, with the best of intentions, had erroneously printed a detail—any detail—about Quigley in the same article that revealed her hypothetical homosexuality, the magazine would, as I understand it, have left itself wide open to legal assault. Let us say that the same blind source responsible for describing Quigley as “a little wacky” had also reported that she was gay. Furthermore, let us also say a corroborating source for that piece of information was another astrologer who could be construed as a competitor. Could Quigley’s lawyer not argue that this was both false and malicious?

Fortunately for Time, none of this happened. Also, based on my experience with the magazine, I doubt it would ever have transpired—even stipulating the hypothetical details described above. At the very least, given space constraints and the priority of other facts in the story, the editors would not likely have included details of Joan Quigley’s sexual preference

56. Sipple, 201 Cal. Rptr. at 670.
57. Generally, to maintain an action for defamation a plaintiff must show a communication with four elements: 1) defamatory imputation; 2) malice or negligence; 3) publication; and 4) damages. See RESTATEMENT (SECOND) OF TORTS §558 (1977). If Quingley could show that she was shunned form her community or removed from a board because of the defamation, then she is more likely to prevail on her claim for invasion of privacy.
on grounds that the facts would not sufficiently enhance a story that was essentially about her influence on the affairs of state.

Indeed, what did transpire in the aftermath of the White House astrology story solidified Joan Quigley's status as a public figure. She, too, wrote a tell-all book exploiting her connections to the Reagans. It was entitled *What Does Joan Say?: My Seven Years as White House Astrologer to Nancy and Ronald Reagan.*\(^{58}\) In the book, Quigley recounts her first encounter with *Time*:

> The next morning, I took the Concorde to New York. After spending the night at an airport hotel, I was intercepted as I was about to board a plane to San Francisco by a young reporter from *Time* Magazine. He told me he had booked a seat on the plane at the last moment for the purpose of interviewing me. I decided to grant him the first interview.\(^{59}\)

If Joan Quigley was not a public figure before this voluntary exposure in the press, she certainly was afterwards. It is also amply clear from her book that she saw her newfound fame as a potential source of profit.

\(^{58}\) QUIGLEY, supra note 22, at 21.

\(^{59}\) Id.