



March 12, 2026

Safa R. Zaki  
Office of the President  
Bowdoin College  
5700 College Station  
Brunswick, Maine 04011

*Sent via U.S. Mail and Electronic Mail (zaki@bowdoin.edu)*

Dear President Zaki:

FIRE<sup>1</sup> is concerned by Bowdoin College’s demands that the Bowdoin Socialists, a recently formed group of Bowdoin students, register with the college or cease all publications.<sup>2</sup> Students’ right to expressive association, including the right to associate with other students outside of formal registration, is protected by Bowdoin’s strong and laudable free expression promises. As such, Bowdoin may not restrict that right by demanding students register before posting their shared views online. We urge the college to uphold its promises and cease restricting the Socialists’ online presence.

The Bowdoin Socialists are a group focused on promoting socialism at Bowdoin and engaging in general political commentary on Instagram.<sup>3</sup> On February 13, Director of Student Activities Nate Hintze emailed Finley Rhys, a Bowdoin student on leave, requesting that the Bowdoin Socialists—a group Rhys worked with current students to establish—“refrain from further activity until the group” was approved as a registered student organization.<sup>4</sup> Rhys replied, explaining that the group was not seeking recognition from the college. Rhys’s email included a link to the Socialists’ exposé on former Bowdoin trustee Jes Staley’s connections with Jeffrey Epstein to demonstrate that the group was a media outlet.<sup>5</sup> Rhys referred to the group as

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<sup>1</sup> As you may recall from prior correspondence, the Foundation for Individual Rights and Expression is a nonpartisan nonprofit dedicated to defending free speech. You can learn more about our mission and activities at [fire.org](https://fire.org).

<sup>2</sup> The recitation of facts here reflects our understanding of the pertinent information. We appreciate that you may have additional information and invite you to share it with us.

<sup>3</sup> Bowdoin Socialists (@bowdoinsocialists), INSTAGRAM, <https://www.instagram.com/bowdoinsocialists/>.

<sup>4</sup> Email from Nate Hintze, Director of Student Activities, to Finley Rhys, former student (Feb. 13, 2026, 4:40 PM) (on file with author).

<sup>5</sup> Email from Rhys to Hintze (Feb. 13, 2026, 5:11 PM) (on file with author); *see also* Bowdoin Socialists, *Findings from Recent Department of Justice Files.*, BOWDOIN SOCIALISTS, (updated Feb. 19, 2026) <https://bowdoinsocialists.org/epstein>.

“student-run media,” a type of organization the college has declared “editorially independent of the College and its administration.”<sup>6</sup> Hintze reiterated his belief that student media must be registered with the college or receive department sponsorship and repeated his demand that the Socialists cease publication.<sup>7</sup> Rhys, in turn, objected to Hintze’s interpretation of the policy, pointing out that student media are not required to be chartered or department-run, the Socialists did not seek SAFC funding, and the group did not claim to be affiliated with the college.<sup>8</sup>

Hintze continued to insist that student groups could not operate without college sanction and escalated the matter to Dean of Students Lisa Hardej.<sup>9</sup> On February 27, Hardej emailed Rhys, ordering the Socialists to stop publishing and threatening to sanction him personally for failing “to comply with the reasonable request of a college official.”<sup>10</sup> Hardej also told Rhys that the college had received reports about posts on the Bowdoin Socialists’ Instagram account and another satirical Instagram account known as the Bowdoin Republicans.<sup>11</sup>

While Bowdoin is a private college not bound to grant students freedom of expression by the First Amendment, it makes independent promises to the same effect, enshrining “free expression of widely varying views” as an integral part of the college community.<sup>12</sup> Based on this strong promise, students have every reason to believe their rights would be substantially the same as the rights they enjoy off campus under the First Amendment, which protects merely offensive expression. Moreover, any coherent interpretation of freedom of expression necessarily includes the right to express criticism of those in authority without first seeking the approval of that very authority.

The college’s authority to regulate student organizations is limited by its official relationship with those organizations. Bowdoin cannot prohibit students from associating with unregistered student organizations like the Socialists any more than it could prohibit association with a local church, chess club, or theater troupe.<sup>13</sup>

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<sup>6</sup> Email from Rhys to Hintze (Feb. 13, 2026, 5:11 PM) (on file with author); *see also Student-Run Media*, BOWDOIN, <https://www.bowdoin.edu/dean-of-students/ccs/campus-life/student-run-media.html> [<https://perma.cc/3BXW-JTPQ>]. While it appears that Bowdoin intended the policy to cover specific organizations, those organizations are not enumerated, and the only affirmative requirement of media is that they follow college policy.

<sup>7</sup> Email from Hintze to Rhys, (Feb. 16, 2026, 1:47 PM) (on file with author).

<sup>8</sup> Email from Rhys to Hintze (Feb. 17, 2026, 7:12 AM) (on file with author).

<sup>9</sup> Email from Hintze to Rhys (Feb. 17, 2026, 10:26 AM) (on file with author).

<sup>10</sup> Email from Lisa Hardej, Dean of Students, to Rhys (Feb. 27, 2026 9:10 AM) (on file with author).

<sup>11</sup> *Id*; Bowdoin Republicans (@bowdoinrepublicans), INSTAGRAM, <https://www.instagram.com/bowdoinrepublicans/>.

<sup>12</sup> *The Bowdoin Learning Community*, BOWDOIN COLL., <https://www.bowdoin.edu/dean-of-students/ccs/intro/our-learning-community.html> (last visited Nov. 14, 2025).

<sup>13</sup> *See Student Group Disciplinary Process*, Scope, BOWDOIN COLL. <https://www.bowdoin.edu/dean-of-students/ccs/campus-life/group-disciplinary-process.html> [<https://perma.cc/2PHY-2DZP>] (limiting discipline to behavior of matriculated students that violates the Code of Community Standards or state law, damages property, disrupts campus operations, or poses a safety risk); *see also, e.g., Guest v. Hansen*, 603 F.3d

Our concerns are exacerbated by the arbitrary nature of the college's restrictions. College rules that do not give "adequate warning of the conduct which is to be prohibited" fail to comport with due process<sup>14</sup> because they threaten to "trap the innocent" and invite "arbitrary and discriminatory enforcement."<sup>15</sup>

As written, Bowdoin policy does not seem to enact any restriction on association with unregistered student organizations or on an unregistered student organization's ability to express itself. If the college is nevertheless enforcing an unwritten policy to this effect, that policy is unavoidably unfair. To take just one elementary example, students cannot reasonably know at what point they have become a group that must be officially registered rather than an informal group of friends. Is one Bowdoin student expressing himself or herself in an attempt to gather like-minded students enough to trigger the requirement? What about a group of two roommates who share opinions? Perhaps five students are enough to become a "group," or 10?

And where do such demarcations end? Does a local church or charity, whose membership or management contains at least a couple of Bowdoin students, need to register as a Bowdoin student organization or risk college sanctions against those students for its social media use? As it stands, administrators have unbridled discretion to enforce such unwritten requirements against any organization they dislike, leading students to justifiably self-censor rather than engage with unaffiliated groups. This result is incompatible with Bowdoin's free speech promises.

And codifying a ban on social media activity by unrecognized groups would constitute a prior restraint, "the most serious and least tolerable infringement on" freedom of expression.<sup>16</sup> When government agencies engage in such restraints, courts impose a "heavy presumption against [their] constitutional validity."<sup>17</sup> At an institution like Bowdoin that promises free expression, students should reasonably expect such restraints will be seldom imposed. In a free society, it could hardly be otherwise; such promises are worthless if they must give way even to flimsy or unpersuasive justifications for silencing potential dissenters. Indeed, Bowdoin has cited no reason for its sweeping restriction, which allegedly applies to all unregistered student groups.

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15, 21 (2d Cir. 2010) ("Under New York law, colleges have no legal duty to shield students or their guests from the harmful off-campus activity of other students."); *Hartman v. Bethany Coll.*, 778 F. Supp. 286, 291 (N.D. W. Va. 1991) ("It would not be consistent with the caselaw in this area to impose a duty upon colleges to supervise their students when they leave the college campus for non-curricular activities. It would also not be consistent with the settled expectations of students, parents or colleges.").

<sup>14</sup> *Doe v. Univ. of Mich.*, 721 F. Supp. 852, 866 (E.D. Mich. 1989); see also *Dambrot v. Cent. Mich. Univ.*, 55 F.3d 1177, 1184 (6th Cir. 1995) (finding university racial harassment policy prohibiting "negative" and "offensive" speech unconstitutionally vague and overbroad).

<sup>15</sup> *Grayned v. City of Rockford*, 408 U.S. 104, 108 (1972).

<sup>16</sup> *Neb. Press Ass'n v. Stuart*, 427 U.S. 539, 559 (1976).

<sup>17</sup> *N.Y. Times Co. v. United States*, 403 U.S. 713, 714 (1971).

Further, such a ban could not be narrowly tailored to any cognizable collegiate interests. The college does not provide a rationale for this ban. Even if it did, it is hard to imagine an interest that could be served by so aggressively restricting student organizing.<sup>18</sup>

Bowdoin's imposition of a prior restraint based on a vague policy that is itself incompatible with the college's expressive guarantees makes a mockery of its promises. The college must therefore cease using this purported policy to limit students' associational freedoms and student groups' expressive rights.

We request a substantive response to this letter no later than the close of business on March 26, confirming Bowdoin will allow the Bowdoin Socialists to continue to post on its website and social media and will refrain from sanctioning any student associated with the group, including Rhys.

Sincerely,



Dominic Coletti  
Program Officer, Campus Rights Advocacy

Cc: Nate Hintze, Director of Student Activities  
Lisa Hardej, Dean of Students

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<sup>18</sup> See *Johnson v. City of Cincinnati*, 310 F.3d 484, 504 (6th Cir. 2002) (a city ordinance excluding those convicted of drug offenses from "drug-exclusion zones" burdened far greater associational freedoms than necessary to achieve the city's interest because it failed to consider alternatives imposing lesser restrictions on an individual's right to freely travel on public thoroughfares).