Write a Wikipedia Article for Law School Credit—Really?

John C. Kleefeld and Katelyn Rattray

Imagine a world in which every single person on the planet is given free access to the sum of all human knowledge. That’s what we’re doing.

—Jimmy Wales, Wikipedia founder

Introduction

Consider the fate of the average paper, memo or other written assignment submitted for law school credit. Whether the student has toiled over it through the term or crammed it into a few (one?) all-nighters before the due date, the work is likely to be read by the instructor who assigned it, filed in a cabinet, box, or electronic folder on a computer, assigned a grade (with, perhaps, some feedback given to the student), and then—for gotten. While some instructors prod students to turn their work into publishable pieces for a wider audience, most law school assignments are produced and consumed solely in a dyadic relationship of student-writer and instructor-reader. Now consider a different scenario, one in which the fate of the work is presumptive publication to the world; in which feedback from any interested reader is potentially instantaneous; in which the instructor’s role is that of coach or mentor through the writing and publishing process as well as assessor of the work; and in which the student’s work, in turn, contributes to providing worldwide access to free legal information. The world we are talking about is that of writing or editing Wikipedia articles for law school credit.

John C. Kleefeld is an Associate Professor at the University of Saskatchewan College of Law and a member of the British Columbia and Saskatchewan bars. Corresponding author: john.kleefeld@usask.ca. The authors thank Jennifer Flynn, Executive Director, Legal Education Society of Alberta, as well as Keith Barron, Julia Kindrachuk, and Craig Mracek, J.D. students at the University of Saskatchewan, for their encouragement and helpful comments on earlier versions of this Article.

Katelyn Rattray holds her B.A. (Hons.) from the University of Victoria and her J.D. from the University of Saskatchewan. She is an articled student at Race & Company LLP, Squamish, British Columbia.

In this Article, we describe that world and the small part we played in it as law professor and law student in editing a Wikipedia article as an optional component of an upper-year Canadian law school course. In Part I, we set out some of the background to Wikipedia. This includes a discussion of its history, philosophy, and policies; the relationship between Wikipedia and higher education; and the relationship between Wikipedia and law, including its sometimes surprising use by courts and lawyers. We consider the views of Wikipedia’s detractors and proponents, and, in answer to both, make a pedagogical case for turning law students from “consumers” to “producers” of Wikipedia’s legal content. Furthermore, the pedagogical case has a public service component, similar to initiatives like that of the University of California San Francisco, where fourth-year medical students have been editing Wikipedia to provide higher-quality medical information for the benefit of both the public and the medical profession. In Part II, we talk about what we did as professor and student in the course, focusing on the editing of a specific Wikipedia “stub” article—that is, an article clearly in need of editing and further development. In Part III, we consider the assessment of student contributions to Wikipedia. This includes a discussion of various rubrics and the Wikipedia Education Project Syllabus, which provides a general template for a twelve-week course emphasizing individual and collaborative writing, peer review, and publication of Wikipedia content. Part IV summarizes our reflections on the exercise, including both its limitations and opportunities. Finally, in the Appendix, we provide some links to resources for professors and students who want to experiment with writing or editing Wikipedia articles for law school credit.

Part I: Background

Wikipedia—History, Philosophy, Policies

Wikipedia is an open-access and collaboratively created Internet encyclopedia,

2. In keeping with the Wikipedia spirit, we wrote this Article collaboratively, commenting on and editing our own and each other’s work while keeping a revision history of all changes.

supported and hosted by the nonprofit Wikimedia Foundation. Wikipedia ranks among the ten most popular websites in the world and is the largest and most well-known reference tool. Companion sites include Wikibooks, a collection of open-content textbooks; Wikimedia Commons, a repository for free photographs, diagrams, maps, videos, animations, music, sounds, spoken texts, and other copyright-compliant media; Wikidata, a repository for the structured data of various Wikimedia projects; Wikisource, a library of public-domain texts, including cases and statutes; Wikispecies, a forum for taxonomic and biological information aimed at scientific users; Wiktionary, a collaborative multilingual dictionary and thesaurus; Wikiversity, an open learning community; Wikivoyage, a collaborative travel guide; and Wikinews, an independent news outlet based on participatory journalism.

Wikipedia started with the English-language Wikipedia in January 2001 as the brainchild of Jimmy Wales and Larry Sanger, whose original efforts
focused on Nupedia, an expert-based encyclopedia. Frustrated by Nupedia’s slow growth, they came up with the idea of a version that could be edited freely and quickly (wiki means “quick” in Hawaiian), and English Wikipedia took off rapidly. A German edition followed shortly thereafter, and since then, editions have developed in some 280 languages, each with their own content and editorial policies and totaling more than thirty-six million articles. Wikipedia’s English-language version is by far the largest, with nearly five million articles as of this writing. By article count alone, this makes English Wikipedia about forty times the estimated size of the prestigious Encyclopedia Britannica, first printed in 1768 and now published solely in online form with over 120,000 articles.

This staggering growth can largely be attributed to a single Wikipedia feature—by following some basic rules, almost anyone can write or edit most of its articles. This feature is at once Wikipedia’s greatest strength and its greatest weakness. “Wikipedia,” explains Andrew Lih, “is a human-centered endeavor that invites participation on a massive scale. It usurps top-down authority, empowers individuals, and harnesses previously untapped labor of individuals previously isolated in separate social networks, but brought together by the Internet.” Wikipedia, says computer scientist Besiki Stvilia, “changes a traditional positivist approach toward encyclopedia construction, which assumes that there is always one truth and a certain predictable level of quality, to a constructivist, ‘grounded’ approach, which assumes that there are always multiple truths and quality, and that they change over time.”

In both theory and practice, though, Wikipedia is far from the freewheeling editing environment that its structure suggests. For one thing, Wikipedia has long adhered to some key principles often called the “five pillars.” They can be summarized as follows: (i) Wikipedia is an encyclopedia—not a dictionary, a place to sell one’s wares or services, a blogging forum, or a social networking site; (ii) articles adopt a neutral point of view, which includes “document[ing] and explain[ing] the major points of view, giving

16. Id.; see also Lih, supra note 1.
18. Lih, supra note 1, at 111.
21. But see the companion project, Wiktionary, supra note 11.
due weight with respect to their prominence in an impartial tone”;23 (iii) Wikipedia is free content that anyone can use, edit, and distribute, and thus anything that smacks of using Wikipedia for commercial gain attracts censure from the Wikipedia community;24 (iv) Wikipedia has a code of conduct, or “Wikiquette,” that requires editors to treat one another with respect and civility;25 and (v) Wikipedia has no firm rules, which means that “principles and spirit matter more than their literal wording, and sometimes improving Wikipedia requires making an exception.”26

These principles are fleshed out in a number of specific policies and practices. For example, for an article to be included in Wikipedia, it should abide by three core content policies: neutral point of view (NPOV), verifiability (V), and no original research (NOR).27 Wikipedia is meant to be an encyclopedia, after all. Thus, Wikipedians are alert to articles or edits that include “facts, allegations, and ideas . . . for which no reliable, published sources exist.”28 It is not uncommon for articles to be peppered with “citation needed” admonitions inserted by watchful Wikipedians, or to see an article prefaced by warnings that it may violate NPOV, V, or NOR and be marked for possible deletion.

Such policies and practices grew out of trial by fire. Consider the Talk page. A Talk page tab, next to the Article tab, accompanies every Wikipedia article, and is one of Wikipedia’s cleverest innovations for promoting article development. Such innovations, says writing instructor James Purdy, “make more visible the complex, rich, messy processes usually kept behind the closed doors of the academy.”29 In the two years following Wikipedia’s creation, many “Talk pages” accused editors of violating NPOV. Verifiability, hardwired in academic thinking but not necessarily in that of the general public, evolved out of this difficult period as a way of increasing article reliability. Verifiability was also seen as helping “to ensure that notable views would be represented, under the assumption that the most notable views were easiest to document

27. The acronyms are Wikipedia (WP) shortcuts. Entering “WP:V” into Wikipedia’s search engine, for example, leads to https://en.wikipedia.org/wiki/Wikipedia:Verifiability, which explains the verifiability policy in detail.
with sources. In ensuring a degree of notability, Wikipedians do not claim that all views are equal, but “acknowledge that some views are held by more people than others.”

Over time, English Wikipedia and some other Wikipedias have gradually restricted the ease of modifying articles. Wikipedia has always had an important feature—a complete revision history for every article, accessible through the article’s “View history” tab. It allows for any previous version of an article to be restored if, for instance, it is vandalized. The feature thus restricts anyone from doing long-term damage to Wikipedia articles. Another restriction that has emerged in English Wikipedia and some other language editions is that only registered users can create new articles. The restriction is not an onerous one, since it is easy to register a Wikipedia account. But registering an account and having one’s username forever linked to one’s edits through the revision history is likely to induce a level of accountability and credibility that does not exist for the purely anonymous editor who can edit, but not write, Wikipedia articles. Registered users are also able to maintain “watchlists” so that they are notified when edits occur to articles that interest them; this, too, allows for informal monitoring of changes to Wikipedia’s content.

Registered users can also become “administrators,” who, despite the connotations, are not paid staff of Wikimedia Foundation, but those who, through a record of contributing to Wikipedia’s development, receive certain privileges. These privileges include the ability to block and unblock user accounts and IP addresses from editing, to protect and unprotect pages from editing, to delete and undelete pages, to rename pages without restriction, and to use certain other tools. English Wikipedia currently has about 1330 administrators who fulfill these important monitoring roles. Thus, in English Wikipedia and some others, certain sensitive or vandalism-prone pages are now protected to some degree and, in some cases, review is required before edits are finalized. For example, the article on U.S. President Barack Obama is both a featured article—indicating a high level of quality as determined by the Wikipedia community—and “semi-protected,” meaning that it can be

30. Id.
31. Id.
32. Wikipedia identifies an unregistered user by the user’s computer’s IP (Internet protocol) address, which becomes public when edits are made. A registered user is identified with the person’s username.
34. Id.
edited only by registered users who have already edited a certain number of Wikipedia articles. In a similar but more rigorous vein, German Wikipedia maintains “stable versions” of articles that have passed certain reviews. Apart from this, Wikipedia has been working since 2004 toward having a stable offline version, called Wikipedia 1.0, comprising a subset of high-quality articles that are ranked using a detailed assessment rubric, discussed below.

Wikipedians can make their mark with one of two editing systems: the classic markup system or the newer “VisualEditor.” The classic wiki markup, also known as “wikicode” and perhaps most commonly as “wikitext,” is a simplified version of HyperText Markup Language (HTML), the language used to create web pages. When someone creates or edits an article with wikitext, the information is turned into HTML by MediaWiki and becomes a Wikipedia page. Wikitext provides countless commands that allow contributors to apply anything from bold text (<b>bold text</b>) to flag icons ({{flagicon|CountryName}}) to an article. The “Edit” page on a Wikipedia article allows for many of the basic commands to be entered with the click of a button. A drawback of wikitext is its unfamiliarity—for many, using an HTML-like language to create a Wikipedia article may seem daunting. For newcomers or those new to wikitext, Wikipedia has developed the VisualEditor. Wikipedians can now bypass the markup language and see their work as it would appear publicly while adding or editing content. Wikimedia Foundation has expressed hope that this option will encourage more participation on Wikipedia by making editing more accessible to new users.

Editors are also supposed to craft citations pursuant to Wikipedia’s verifiability policy, but are not directed to use a particular citation format. Instead, Wikipedians may choose from several citation styles, as long as they use a consistent style throughout an article. English Wikipedia suggests

40. To experience Wikipedia’s wikitext editing platform first-hand, see Wikipedia: Sandbox, WIKIPEDIA, http://en.wikipedia.org/wiki/Wikipedia:Sandbox (last visited Nov. 18, 2015), and click the “Edit” link near the top right-hand corner of the page.

Write a Wikipedia Article for Law School Credit—Really?
using a variation of APA style outlined in a “how-to” guide, and lists APA, ASA, MLA, Chicago, Author-Date referencing, Vancouver, and Bluebook as examples of acceptable citation styles.

Any change to a Wikipedia article, no matter how small, should be explained in the “Edit summary” box at the bottom of the page. This information is displayed to other editors on the page history to ensure a common understanding of why the changes were made and to hold editors accountable for their edits, thereby preserving the collaborative nature of Wikipedia in the process.

Wikipedia and Higher Education

Wikipedia has played two primary roles in higher education, serving as both a learning tool and a source of information. As a public platform that anyone can edit, Wikipedia gives students the opportunity to learn through their contributions. Like a double-edged sword, however, the ability for anyone to contribute to Wikipedia articles has caused concern in academia regarding the accuracy, thoroughness, and objectivity of Wikipedia’s contributions and has led to debate over Wikipedia’s usefulness in higher education.

Instructors and academic institutions have responded to the rise of Wikipedia in diverse ways. Some, such as Middlebury College’s history department, have banned the citation of Wikipedia in academic projects. Others allow the use of Wikipedia with some restrictions. Meghan Sweeney, who taught a research-focused English composition course using Wikipedia, notes the hypocrisy of banning Wikipedia as a resource tool when many academics use it for their own preliminary research. She suggests that instructors instead use Wikipedia exercises to improve students’ information literacy, which can in turn help them understand the sources of information available on Wikipedia and make more critical decisions about the information they are consuming. Similarly, reference librarian and fiction writer Jeff Maehre suggests that instructors should let students cite Wikipedia and assess the value of their citations based on the validity of the content rather than the validity of the


44. Id.; see also Wikipedia: Citing Sources: Citation Style, Wikipedia, http://en.wikipedia.org/wiki/Wikipedia:Citing_sources#Citation_style (last visited Nov. 18, 2015).


48. Id. at 257.
source. After all, in many disciplines students are trained not only on how to understand information but also on how to seek it out and determine whether some sources are more or less compelling than others. As this debate plays out, educators like Sweeney and Maehre argue that when teachers embrace Wikipedia as a place for their students to contribute their knowledge, students can become more critical consumers of information and learn to use Wikipedia more effectively.

Though some instructors have independently adopted Wikipedia as a platform for developing class assignments, Wikimedia Foundation began promoting the idea in 2010 by introducing the Wikipedia Education Project (WEP). It seeks to encourage student contributions to Wikipedia by fostering Wikipedia’s use in coursework. The WEP has had a marked impact on the quality of the information available on Wikipedia: A 2012 Wikipedia study suggested that eighty-eight percent of the articles reviewed were improved to some extent by student edits.

The WEP offers resources to help instructors implement the program, including campus ambassadors who can provide hands-on Wikipedia training for instructors and students and a sample syllabus for a Wikipedia assignment. The program has gained a fan base: In four years, over 10,000


50. Law school places significant emphasis on learning the weight that should be afforded to sources in a precedent-based system. For a brief discussion of legal research training and the value of information literacy in law school curriculum, see Ellie Margolis & Kristen E. Murray, Say Goodbye to the Books: Information Literacy as the New Legal Research Paradigm (Temple Univ. Research Paper No. 2012-34, online: Social Science Research Network, Aug. 6, 2012), http://ssrn.com/abstract=2125278.


53. Id.


students have participated in the WEP by contributing to more than 10,000 Wikipedia articles in multiple languages.57

While Wikipedia benefits from student contributions, it may be that the students receive the greater benefit of developing useful research and writing skills. Today’s students rely heavily on electronic sources, and many are inclined to use Wikipedia at least for preliminary research. For instance, a 2012 study on student perceptions of Wikipedia found that 92% of respondents in a freshman course and 72% of respondents in an upper-year course at a large public university used Wikipedia as a research tool when writing academic papers.58 Furthermore, only 33% of respondents from the upper-year course said they would never cite to Wikipedia in an academic paper.59 After completing Wikipedia assignments in their courses, however, students’ perceptions of Wikipedia as a valid resource decreased.60 Based on the respondents’ feedback, the researchers found “that the experience of creating a Wikipedia topic entry opened [the students’] eyes to the processes continuously operating behind Wikipedia entries and . . . they realized that the quality of Web-based resources depends on the efforts of authors and editors.”61

The 2012 study demonstrates how contributing to Wikipedia can develop students’ information literacy. Similarly, Sweeney found in her project that student contributions to Wikipedia “[were] successful in getting students to answer their own questions . . . [and gave] students an opportunity to compose in a multimedia environment, which ‘enhances notions of audience, purpose, genre, form, and context.’”62 Most students simply use the information they find online. However, when they are turned into producers of information by editing Wikipedia articles, they must take a critical eye to their sources and learn how to use online information effectively in order to avoid having their work flagged or deleted by Wikipedia’s online community. In essence, the exercise helps students develop their information literacy for the purposes of completing a successful project and, in turn, they become better consumers of information because they learn how to better evaluate the legitimacy of online sources.63

---


59. Id. at 259.

60. Id. at 261-62.

61. Id. at 268.

62. Sweeney, supra note 47, at 256.

63. Id. at 257.
Students may also develop a heightened awareness of audience and purpose as a benefit of completing Wikipedia projects. Students participating in one project became aware of the need to not only write for their audience but also to provide information that enriches articles and avoids unnecessary or redundant information. As Wikipedia articles appear in an encyclopedic context, unlike many university writing assignments that are created for one course, Wikipedia editors have an added responsibility of evaluating whether the information they wish to present on a page could better fit on another page or has already been covered by another editor. Furthermore, the exercise of editing a Wikipedia article often requires that editors balance and synthesize different voices, creating learning challenges and opportunities when striving for consistency in one’s writing.

Perhaps most important, completing Wikipedia projects can empower students with the confidence to believe in and deem their work sufficiently rigorous for publication. James Purdy notes that Wikipedia and wikis ask us to reexamine our expectations for the stability of research materials and who should participate in public knowledge making. Sweeney also notes the value of placing students in an expert role: By perceiving themselves as “experts” on their selected topic (in her course, an aspect of youth subculture), students have the confidence to present their material to the public and potentially to engage in online discussions with other Wikipedia participants.

In more specialized fields, instructors have explored the benefit of training students to explain technical concepts in straightforward language. This exercise, in and of itself, appears to encourage more rigorous study of the material; because the project is publicly available, the information becomes more accessible. Perhaps the most ambitious endeavor in this regard is the Wiki Project Med Foundation, a nonprofit corporation whose goal is to provide the sum of all medical knowledge to all people in their own language. Headed by Wikipedia enthusiast and University of British Columbia clinical professor James Heilman, Wiki Project Med is working to this goal by collaborating with various partners. These include Translators.

64. Id. at 262.
65. Id. at 262.
66. Purdy, supra note 29, at 352.
67. Id. at 352.
68. Sweeney, supra note 47, at 257-58.
69. See Moy et al., supra note 51, at 1160.
70. Id. at 1161.
Without Borders\textsuperscript{73} and University of California San Francisco, where fourth-year medical students have edited Wikipedia for credit in a one-month elective course over three academic cycles.\textsuperscript{74} Amin Azzam, associate clinical professor at the UCSF School of Medicine and course instructor, notes that "Wikipedia generates more than 53 million page views just for articles about medications each month, and is second to Google as the most frequently used source by junior physicians."\textsuperscript{75} However, Azzam found that "there is a clear need to bring medicine articles up to par,"\textsuperscript{76} and so has focused on articles that are frequently visited but are of low quality for one reason or another.\textsuperscript{77} So far, Azzam’s students have edited twenty-eight such articles, resulting in improvements to most of them and significant improvements to several, as measured by Wikipedia’s own quality metrics.\textsuperscript{78}

Another such project is the Association for Psychological Science’s APS Wikipedia Initiative. Over 3,300 psychological scientists and students have edited and rated Wikipedia articles to ensure that Wikipedia’s psychology articles are complete and accurate. As noted by the APS Wikipedia Initiative website, "When the general public searches for information about psychology, the top results are Wikipedia articles. . . . As psychological scientists, it’s your responsibility to ensure the psychology information on Wikipedia is reliable."\textsuperscript{79}

How does this translate to law and legal education? There is relatively little academic discussion of using Wikipedia as a learning tool in legal education.

\textsuperscript{73} Translators Without Borders, http://translatorswithoutborders.org (last visited Nov. 18, 2015).
\textsuperscript{75} Juliana Bunim, UCSF First U.S. Medical School to Offer Credit For Wikipedia Articles, UNIV. CAL. S. F. NEWS (Sept. 26, 2013), http://www.ucsf.edu/news/2013/09/109201/ucsf-first-us-medical-school-offer-credit-wikipedia-articles.
\textsuperscript{76} Id.
\textsuperscript{77} Id. See also WikiProject Medicine/UCSF, supra note 74. Wiki Project Med., Editing Wikipedia for a Med Student Rotation-Dr. Azzam, YOUTUBE (Mar. 5, 2014), https://www.youtube.com/watch?v=9OXDol3jl14 (interviewing Dr. Amin Azzam, Associate Professor at University of California San Francisco School of Medicine).
\textsuperscript{78} See Mihir Joshi, Evans Whitaker & Amin Azzam, The Implementation of a Wikipedia Elective to Provide Writing[-] and Research[-]Based Learning to Fourth[-]Year Medical School Students and to Develop Free[-]Access Medical Knowledge, W. GRP. ON EDUC. AFFAIRS, https://upload.wikimedia.org/wikipedia/commons/e/e1/Wiki_medicine_presentation_-_UCSF_medical_education_-_spring_2015_WGEA_conference_-_poster.pdf (2015) (Poster for WGEA Conference). Articles that went from “start class” or “C-class” to “B-class” (see discussion of Wikipedia’s quality classes, infra) can be considered to have improved significantly. According to the cited study, the following articles would qualify as such: “Hepatitis,” “Diabetes,” “Amyloidosis,” “Cholecystitis,” “Toxic epidermal necrolysis,” “Placental abruption,” “Therapeutic hypothermia,” “Premature rupture of membranes,” “Umbilical cord prolapse” and “Omphalitis of newborn.”
However, some insight is provided by Brian Carver, who assigned Wikipedia projects in two graduate-level law courses at University of California, Berkeley. In these courses—Cyberlaw and Intellectual Property Law for the Information Industries—Carver’s students reported a “higher degree of engagement with a Wikipedia assignment as compared with traditional writing assignments,”80 which contributed to earnest development of collaboration and information literacy skills that are invaluable for successful law practice. As the following section suggests, however, the legal community is ambivalent about Wikipedia as a citation-worthy resource. That ambivalence presents a hurdle to its acceptance in the law school curriculum. Let us turn, then, to consider Wikipedia’s role in law and its potential role in legal education.

Wikipedia and Law

As it does in the academic community generally, Wikipedia has both proponents and detractors in law and legal scholarship. Most commentators have focused on the propriety of citing Wikipedia in court opinions, litigation briefs, and law review articles.81 Some of the literature adopts a fervent tone, even advocating a ban on all citations to Wikipedia articles, like that imposed by Middlebury College’s history department. Other responses have been more measured, concluding that it may be inappropriate to cite Wikipedia in some situations, such as for key issues of fact or law, yet appropriate in others, such as for referencing uncontested facts, supporting judicial quips or tangential points, or addressing issues where there is a comparatively large “wealth of knowledge and passion among netizens.”82

Two U.S. appeal cases from 2008, and commentary on them, illustrate the divergence in views. In *Badasa v. Mukasey*,83 the Eighth Circuit remanded an immigration decision in which the Department of Homeland Security had successfully relied on a Wikipedia article on *laissez-passer* to argue that such a non-passport document—often issued for one-way travel for humanitarian reasons—could not be used to establish an asylum-seeker’s identity. The court’s

80. Brian W. Carver, Rochelle Davis, Robin T. Kelley, Jonathan A. Obar, & Lianna L. Davis, Assigning Students to Edit Wikipedia: Four Case Studies, 9 E-LEARNING & DIGITAL MEDIA 273, 275 (2012). The case studies contributed by the co-authors were from courses in political science, women’s health and human rights, and media and communications policy.


83. 540 F.3d 909 (8th Cir. 2008).
opinion included a critique of Wikipedia’s reliability generally and said that the immigration judge and Board of Immigration Appeals had erred by not independently determining that the asylum-seeker had failed to establish her identity. In contrast, in *Rieckher v. Home Depot, Inc.*, the Seventh Circuit had no problem in citing the Wikipedia article “Wear and tear” when interpreting Home Depot’s damage waiver for rented equipment. The allegations in that class action were that the waiver violated trade practices legislation because Home Depot’s rental contract already protected customers from liability for “wear and tear.” The appellant cited a dictionary definition of the phrase to argue that it was equivalent to “damage.” The Court, pointing to the Wikipedia entry, concluded that “wear and tear” is a more specific (and more common) phrase “that connotes the expected, often gradual, depreciation of an item.”

Wikipedia detractors object to such use of Wikipedia in the courts—that is, to address the very points in issue. However, blaming Wikipedia may not only be misplaced but may also fail to differentiate the contexts in which it is used. In *Badasa*, for example, the Wikipedia article was a stub with the warning: “This article does not cite any references or sources. Please help improve this article by adding citations to reliable sources. Unsourced material may be challenged and removed.” Given that caveat, and given the specialized nature of the term *laissez-passer*, the lower courts’ reliance on the article was misplaced. But even if the same issue were to arise now with an improved version of “Laissez-passer,” it would hardly be appropriate to rely solely on Wikipedia where a forced return to one’s homeland could mean imprisonment or worse. In contrast, the Seventh Circuit’s reference to competing definitions of “wear and tear” was only an introductory reference to a well-known expression in an otherwise extended analysis of a commercial matter. The court went on to consider the language of the damage waiver and rental agreement, maxims of contract construction, and other case law dealing with the phrase “wear and tear,” including a 2007 Southern District of Florida decision dealing with the same waiver. Wikipedia supported, but hardly determined, the legal issue in the case. The basic notion is that in both cases, and thousands of others, good practice dictates responsible research and reliance on appropriate authorities.

84. 535 F.3d 661 (7th Cir. 2008).
85.  Id. at 666.
86.  See, e.g., Peoples, supra note 81, at 7-8 (addressing *Badasa* and noting Eugene Volokh’s comment on the “troubling” aspect of the case); id. at 11-12 (addressing *Rieckher*); id. at 51 (concluding that “judges should be careful before relying on the wisdom of the crowds who create and edit Wikipedia content.”).
Wikipedia may be a good starting point for such research and reliance; it is rarely a good ending point. But that is also true for a miscellany of other secondary sources, including print encyclopedias, dictionaries, treatises, and news articles.

Even those who generally shun citing to Wikipedia recognize that some of us will do so anyway, leading to the question of how to cite an entry when we do. These commentators have argued for requiring a permanent link to the entry as viewed by the author citing it.90 Take, for example, the Wikipedia article “Supreme Court of Canada,” with the URL:


Authors should provide at least the article title and URL in a citation; typically, it is also good practice to provide a date of last access. But because the entry may change significantly by the time the author’s work is published, it may be important to be able to see the entry as the author did. Fortunately, Wikipedia provides an easy way to do just that. By selecting “Permanent link” from the Tools menus on the left-hand side of the Wikipedia page for the article, one gets a different URL, which, at the time of writing, was:


A Wikipedia template explains:

This is the current revision of this page, as edited by 209.29.54.87 (talk) at 02:06, 25 April 2015 (→ Current members). The present address (URL) is a permanent link to this version.

Thus on 25 April 2015 at 2:06 UTC,91 an anonymous user with IP address 209.29.54.87 edited the article, and this is the version viewed by the author who is citing it. Below this information, one can cycle through an article’s previous and subsequent revisions:

(diff) ← Previous revision | Latest revision (diff) | Newer revision → (diff)

Going back a couple of revisions, one finds this statement:

This is an old revision of this page, as edited by Tzvecl (talk | contribs) at 16:16, 24 April 2015 (→ Current members: Noted Rothstein’s announced retirement date.). The present address (URL) is a permanent link to this revision, which may differ significantly from the current revision.

90. See Peoples, supra note 81; Baker, supra note 81.

Here, a registered user (Tzvecl—a whimsical reference to an eye chart line?) has explained the change, in accordance with good Wikipedia editing practice. In the section of the article on the court’s current members, Tzvecl added a note regarding the announcement of Justice Rothstein’s then-pending retirement, effective 31 August 2015.

Citing to a permanent link may be apropos if the chief purpose of referencing a Wikipedia entry is to fulfill the documentary function of citation—that is, to support a factual statement on which the author is relying. But if the chief function is bibliographic—to help the reader find the entry and perhaps learn more about the subject being cited—that purpose may be served just as well, if not better, by citing to the basic URL that terminates with the name of the entry. It might be pedantic to insist on a permanent link in all cases; indeed, we have not done so in the citations in this Article. Judge Paciocco, previously a well-known professor on the law of evidence and now a justice of the Ontario Superior Court, feels “liberated enough” to rely on Wikipedia for “basic matters such as the functioning of telephones,” and in doing so is content to cite to the Wikipedia article “Telephone” without worrying about presenting a particular version of it.

What is the scope and quality of Wikipedia’s contribution to legal knowledge? This is an important question in its own right, and especially important for anyone contemplating a Wikipedia project for law school credit.

A measure of scope can be found in Wikipedia’s “Index of law articles,” which, at this writing, alphabetically lists about 4000 articles on a wide range of subjects, from abandonment to zoning. This is an approximation, as development of the index is ongoing, and users are invited to continue updating it. Apart from this, Wikipedia also has a general outline of law; although needing work, it provides a good starting point for understanding Wikipedia’s coverage of different areas of law. An important category in this outline is that of “list articles.” The list article is a particularly useful navigation and overview tool in Wikipedia: It compiles a list of topics, with each list topic hyperlinked to the relevant Wikipedia article and, in some cases, accompanied by an annotation or summary. There are list articles on case law in varying states of completion or sophistication, including cases involving


93. Index of Law Articles, WIKIPEDIA, https://en.wikipedia.org/wiki/Index_of_law_articles (last visited Nov. 18, 2015). The count was generated by pasting the list from the Edit page into a spreadsheet. A comparable count is available from Table 1, infra. Totaling all law articles from “C-class” to “Featured article” in that table yields a count of 4075 articles.


Lord Denning, class actions, and trademarks. There are lists of legislatures by country, of legislation, of U.S. Supreme Court Justices, and many other topics. An important related project, Wikisource, is compiling primary law associated with some of these topics. For instance, about 24,000 U.S. Supreme Court decisions have been imported into Wikisource by a “bot”—software that can be automated to perform various tasks, particularly text-based tasks—and subsequently proofread by human editors and organized by volume, chronologically and alphabetically. An ongoing Wikipedia project, “WikiProject Law,” is also devoted to improving consistency in law-related articles, to categorizing and organizing legal knowledge, and to providing tools for assessing article quality and importance.

Table 1, downloaded from the WikiProject Law page, depicts the overall assessment of Wikipedia law articles in tabular form. Vertically, the table attempts to measure article quality, starting with the highest-quality levels—“feature article” (FA) and “feature list” (FL)—and moving from there to “good article” (GA), B-class and C-class articles, “starts,” “stubs” and so on. Quality levels are determined by applying detailed criteria. For example, a “good article” is well-written, verifiable by inline citations to reliable sources, broad in coverage, neutral, stable, and, if possible, illustrated by copyright-compliant images. Even a B-class article is of a high standard, being “mostly complete and without major problems, [though requiring] some further work to reach good article standards.” Horizontally, the table attempts to


105. Id.
measure an article’s status or importance, ranging from “top” to “low,” with a “????” category indicating that the status remains to be assessed. Criteria for importance are not meant to be “absolute or canonical” but try to gauge the likelihood that an average reader will need to look up the topic.  

Each of the table’s cells contains the number of articles corresponding to the dual quality-importance ranking as assessed by Wikipedia’s scheme. These numbers are hyperlinked to lists of the articles themselves. For example, clicking on the “1” in the “List” quality and “Top” importance cell leads to the single article, “List of landmark United Kingdom House of Lords cases.” Clicking on the “7” in the “Featured article” quality and “High” importance cell links to seven articles: “Antonin Scalia,” “Learned Hand,” “Regents of the University of California v. Bakke,” “Report of 1800,” “Royal Assent,” “Same-sex marriage in Spain,” and “Voting Rights Act of 1965.”

This table suggests a useful starting point for picking articles to work on for a law school Wikipedia project. Many of the articles falling between “stub” and B-class quality would be good candidates for improvement. We have provided a list of law stub articles in the Appendix as a potential resource for North American law schools. Even articles classified as “Low” importance may, on further investigation, turn out to be worthy of attention. For instance, one of the articles rated “start class” in quality and “low” in importance is “Access Copyright.” Given the controversy over Access Copyright’s arrangements with Canadian post-secondary schools in recent years, the topic likely warrants

a higher designation than "low" importance, and improving the article with more relevant content would likely have the effect of increasing its status.

<table>
<thead>
<tr>
<th>Quality</th>
<th>Top</th>
<th>High</th>
<th>Mid</th>
<th>Low</th>
<th>NA</th>
<th>???</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>FA</td>
<td>7</td>
<td>14</td>
<td>47</td>
<td>1</td>
<td></td>
<td></td>
<td>69</td>
</tr>
<tr>
<td>FL</td>
<td>1</td>
<td>3</td>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td>11</td>
</tr>
<tr>
<td>GA</td>
<td>6</td>
<td>16</td>
<td>78</td>
<td>205</td>
<td>7</td>
<td>3</td>
<td>312</td>
</tr>
<tr>
<td>B</td>
<td>37</td>
<td>108</td>
<td>266</td>
<td>434</td>
<td>3</td>
<td>231</td>
<td>1,079</td>
</tr>
<tr>
<td>C</td>
<td>27</td>
<td>109</td>
<td>313</td>
<td>1,645</td>
<td>3</td>
<td>507</td>
<td>2,604</td>
</tr>
<tr>
<td>Start</td>
<td>76</td>
<td>387</td>
<td>1,324</td>
<td>7,136</td>
<td>35</td>
<td>1,882</td>
<td>10,840</td>
</tr>
<tr>
<td>Stub</td>
<td>4</td>
<td>86</td>
<td>762</td>
<td>6,293</td>
<td>33</td>
<td>1,930</td>
<td>9,108</td>
</tr>
<tr>
<td>List</td>
<td>1</td>
<td>14</td>
<td>21</td>
<td>1,118</td>
<td>20</td>
<td>281</td>
<td>1,455</td>
</tr>
<tr>
<td>Book</td>
<td>1</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>Category</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>4,015</td>
<td>1</td>
<td>4,019</td>
<td></td>
</tr>
<tr>
<td>Disambig</td>
<td>2</td>
<td>15</td>
<td>86</td>
<td></td>
<td></td>
<td></td>
<td>103</td>
</tr>
<tr>
<td>File</td>
<td></td>
<td></td>
<td>8</td>
<td></td>
<td></td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Portal</td>
<td></td>
<td></td>
<td>1</td>
<td>15</td>
<td></td>
<td>16</td>
<td></td>
</tr>
<tr>
<td>Project</td>
<td></td>
<td></td>
<td>1</td>
<td>13</td>
<td></td>
<td>14</td>
<td></td>
</tr>
<tr>
<td>Redirect</td>
<td>3</td>
<td>1</td>
<td>10</td>
<td>158</td>
<td>3</td>
<td>173</td>
<td></td>
</tr>
<tr>
<td>Template</td>
<td></td>
<td></td>
<td>1</td>
<td>13</td>
<td>366</td>
<td>380</td>
<td></td>
</tr>
<tr>
<td>NA</td>
<td></td>
<td></td>
<td>1</td>
<td>1</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td>31</td>
<td>63</td>
<td></td>
<td>94</td>
<td></td>
</tr>
<tr>
<td>Assessed</td>
<td>151</td>
<td>733</td>
<td>2,788</td>
<td>16,957</td>
<td>4,764</td>
<td>4,905</td>
<td>30,298</td>
</tr>
<tr>
<td>Unassessed</td>
<td>31</td>
<td>31</td>
<td>31</td>
<td>31</td>
<td>31</td>
<td>31</td>
<td>31</td>
</tr>
<tr>
<td>Total</td>
<td>151</td>
<td>733</td>
<td>2,788</td>
<td>16,957</td>
<td>4,764</td>
<td>4,905</td>
<td>30,298</td>
</tr>
</tbody>
</table>

| WikiWork factors | \( \omega = 121,028 \) | \( \Omega = 5.13 \) |

**Table 1**: Number of Wikipedia law articles, ranked by quality and importance.


An alternative approach to choosing articles for assignments would be to review the list of “requested articles” on legal topics. This requires explaining
another Wikipedia innovation. Any editor can link to another Wikipedia article for a term or phrase simply by enclosing double square brackets around a term, like this: [[[Journal of Legal Education]]. If the linked article already exists in Wikipedia, the edit, once saved, will show in blue text, commonly used for indicating hyperlinks. Clicking on the term or phrase will take the reader to that article. But if no article by that name exists, the text will appear in red, signifying a request that an article be created on it. Wikipedia has “tens of thousands of redlinked suggestions,”116 many of which relate to law and are grouped rather idiosyncratically on a Wikipedia page.117 For the student who already has some editing experience and wants to write a new article, this grouping may be a good starting point.

Part II: What We Did

Incorporating Wikipedia into a course assignment was an experiment for both of us. Although we had some experience with editing or writing Wikipedia articles, we had none in the context of a course. Thus while we refer to ourselves as “instructor” and “student” here, the assignment was very much a learning experience for each of us.

The course chosen for the experiment was an upper-year seminar titled Art of the Judgment. It focuses on “the history, development, reporting and practice of the judgment . . . from the earliest recorded judgments to the present.”118 Students judge a first-year moot and are typically assessed through a written judgment on that moot, submitted about halfway through the course. This counts for 30% of the grade. In-class activities and participation count for a further 30%. At the end of the course, students typically submit papers for 40% of the grade. In the 2014-2015 version of the course, the instructor gave students the option of editing or writing a Wikipedia article or series of articles as a way of fulfilling the paper requirement. Students received a list of hyperlinks to Wikipedia stub articles related to judging, judgments, or the judiciary, and could select one of the articles listed or choose their own article and have it approved for credit.

One student—co-author of this Article—opted for the “wiki” mode of assessment and picked “Judgment (law)” as the article to edit.119 She got to work by first creating a Wikipedia user account, a course requirement for this mode of assessment. She focused first on becoming more familiar with the Wikipedia editing process. For that, Wikipedia’s tutorial was especially helpful.


119. The article can be viewed at: Judgment (Law), WIKIPEDIA, https://en.wikipedia.org/wiki/Judgment_(law) (last visited Nov. 18, 2015). Given the open nature of Wikipedia’s editing process, the article may not wholly reflect the student’s work at the time of this reading.
on editing, formatting, and citing sources; it is probably the best starting point for anyone venturing to edit Wikipedia.120 The student also added the article to her “watchlist” so she would know if other users changed it. After the student became comfortable with the process but before beginning editing, she copied the article, as it appeared on Wikipedia, into a Microsoft Word document for later reference and comparison.121

After completing these preliminary steps, the real fun (and learning) began! The student reviewed the article and determined what needed to be added or changed. A previous Wikipedian had marked the article for “globalization,” meaning that it did not adequately reflect a worldwide view of the topic in question. Furthermore, the article had very little information given the breadth of the subject, and its subsections were not cohesively connected. Finally, the article referenced a number of dubious sources, including inactive links and sources that did not seem to support the statements that the article claimed they supported. These issues were noted in the first meeting between student and instructor.

After the initial discussions regarding the current state of the article, the student worked on the assignment independently over the course of the semester while meeting occasionally with the instructor and seeking advice when required. When she completed a draft, the student and instructor reviewed it together and discussed any remaining technical and substantive issues that needed to be addressed. After saving the edited version of the article in Wikipedia, the student “submitted” her work by saving the Web page as it appeared after making the final edits. Subsequently, both the student and instructor made some further minor edits—readers should be forewarned that getting involved in a Wikipedia article is rather addictive!

**Part III: Assessing Student Contributions to Wikipedia**

Assessment in our case was a matter of first impression and, admittedly, somewhat ad hoc. Much of the work that was done on the chosen article involved rewriting definitions, adding extensive references, and adding hyperlinks to related articles. The topic was broad enough to merit examples from various legal systems; accordingly, the student provided examples from common law, civil law, and religious law. Both student and instructor were

121. We had initially intended to copy the final product into a Microsoft Word document as well and run a “Compare Document” analysis to determine the changes that had been made. However, we found that saving the Web page of the final product and comparing it with the original Microsoft Word document was sufficient. In theory, such steps may not be needed because Wikipedia keeps a complete revision history. However, both of us preferred the comfort of having our own before-and-after copies.
happy with the improvements, while recognizing that more work could be done on the article.

As with the expansiveness of Wikipedia itself, there are many ways to assess student Wikipedia projects. An obvious choice would be to use Wikipedia’s own indicators of a solid article by considering how students’ work—edits or new articles—compares with Wikipedia’s requirements for good articles and feature articles. This is one of the indicators used in the UCSF study, where seven of the twenty-eight medical articles edited went from “start” or “C-class” to “B-class,” indicating significant improvement.122

Some instructors have developed their own grading rubrics for Wikipedia articles. Sweeney, for instance, opted to evaluate how much the article contributed to conversation, awareness of audience, validity, and integration of sources, and “online ethics.”123 Purdy, by contrast, used what could be described as a more technical rubric. He considered what information had been added or removed, what content was edited, how the content was organized, and how the students used hyperlinks.124 “The WEP Syllabus,”125 which outlines a twelve-week course with exercises of increasing sophistication and peer review by classmates, suggests a grading structure weighted as follows: (i) 20% for four early Wikipedia exercises (5% each), such as playing in Wikipedia’s “sandbox”;126 (ii) 10% for participating in class blogs or discussions; (iii) 10% for peer reviews and collaboration with classmates, typically through an article’s Talk page; (iv) 50% for the main Wikipedia article contributions; and (v) 10% for a reflective essay.127 A recent study on visual representation of Wikipedia collaborations, and early development of open-source software called Vis-à-Wik, also suggest new means of assessing information on Wikipedia, such as the use of visual analytics to map an article’s structural connection to other articles.128 Vis-à-Wik, though currently only in “alpha” stage, could help in visualizing how a student has edited or linked the article to other Wikipedia articles.129

122. See Joshi, Whitaker, & Azzam, supra note 78.
123. Sweeney, supra note 47, at 264-65.
125. See supra note 56 and accompanying text.
127. See WEP Syllabus, supra note 56 (section entitled “Grading”).
129. Vis-à-Wik was developed to visualize the connections among Wikipedia articles in different language editions as a network diagram; however, by setting both the search and comparison languages to English, a network diagram can be rendered that shows how one English
Additional questions for assessment could include asking whether the student used the “major/minor change feature” and sufficiently explained edits, and the extent to which the student successfully “globalized” the article, where appropriate. Ultimately, each project will have its own learning goals, so instructors will want to consider their own most relevant factors when assessing how closely their students’ work has met those goals.

IV: Reflections, Limitations and Opportunities

This project stood out among other law school assignments by allowing a student to study and explain a legal concept to an unknown audience. Generally, a student writing a legal memo writes for a law professor, a lawyer, or perhaps a fellow law student. Even where the reader is not included in one of those audiences, the instructor usually describes the audience (for instance, a particular kind of imaginary client). But when editing Wikipedia, students do not know who will ultimately use the information presented. Wikipedia “removes students’ work from the ivory tower and puts it squarely in the real (virtual) world,”130 where the audience is an amorphous “public” with varying backgrounds and levels of reading comprehension or legal knowledge. Therefore, students must not only ensure that they understand the material that they are presenting; they must also strive to make it comprehensive and readable. Student writer-editors must also avoid assumptions about their readers’ level of legal understanding and, at times, may find it necessary to unpack legal concepts.

Furthermore, while a legal memo is generally written to convey legal information to a person who needs to make a decision about legal rights and responsibilities, a Wikipedia law article may be used for any number of purposes, including legal research, comparing one’s understanding of one legal concept to others, or even for curiosity’s sake. Therefore, presenting the information that is most relevant to the public may often be challenging. When viewers from all over the world can potentially review your article, how are you to decide what the most important information will be? In the case presented, the student tried to use examples and refer to countries that were easily recognized, and to use sources that could be easily accessed online to make the information as useful and accessible to a worldwide audience as possible.

Having such a broad audience creates limitations on the effectiveness of using Wikipedia as a resource. The website, in many ways, is shaped by the perceptions of its contributors, and articles often require many different contributors to provide a well-rounded picture of the topic in question. Subsequent revisions and contributions can potentially have detrimental effects when the meaning of the original contributor’s work is lost, or as correct

information is potentially replaced by incorrect information. Ultimately, however, the Wikipedia vision is that the benefits of worldwide collaboration exceed any potential problems relating to the loss of original information.

Another potential limitation to assigning Wikipedia articles, and one that relates to assessment, comes from the lack of original analysis allowed by Wikipedia. Wikipedia’s core content policies of neutrality and no original research may seem antithetical to the role of law students and lawyers. If students simply describe the law or a legal concept, rather than evaluate the law or determine a course of action based on the state of the law, are they engaging in useful legal work? We would argue that they are. Jeff Maehre challenges accusations of Wikipedia’s “pedestrian” nature by observing that “Wikipedia’s entries, all of which contain some hypertext links to subheadings and inclusive concepts, span a wide range . . . many being in line, in terms of thoroughness, with entries in subject-specific reference books. Some far exceed this level of thoroughness, particularly if we tally the hyperlinked subtopics or related topics to which a reader can hop.”

Furthermore, despite the lack of ability to make an argument in a Wikipedia article, participating in such a legal education project refines certain skills required for future lawyers. After all, there is a long tradition of expository writing in law, by both academics and practitioners, and editing a Wikipedia article fits well with that tradition. Law students are already expected to summarize and describe cases to aid in their own understanding of the material. Editing or writing Wikipedia articles can help develop these skills by requiring students to assess an audience’s informational needs and to write for that audience. Even some of Wikipedia’s requirements nod to future skills that law students may need in practice—the convention of explaining every edit made to an article in detail (sometimes to the point of excess!) can teach students to be accountable and arguably tracks the process of timekeeping followed in many law firms, where lawyers are expected to document their time in small increments for costing and billing purposes.

A challenge, but perhaps also a benefit, of Wikipedia-based projects is that students never know when their work is done. For expansive articles in particular, a student could write indefinitely without including everything about the topic. Thus students (either on their own or in consultation with their instructors) must engage with the material critically and prioritize information. They must ask not only what information is available but also what is most useful. Otherwise, they risk hitting a point of diminishing returns by flooding the article with information and, potentially, having the article flagged by another Wikipedian for reworking. This prioritization process, in and of itself, can be useful for students accustomed to writing to a particular word count rather than to a particular level of quality.

Contrary to what one might expect, there was no great moment of relief when the article in this case was completed, likely because of the student’s

enjoyment of the project. Instead, both the instructor and student view the article as an ongoing project that they will check in on and edit as necessary and as they have the time to do so. The sense of ownership that students obtain by seeing their edits “go live” is a great satisfaction that they can carry throughout the project, whether that means changing the placement of a comma, adding a new section or further references to the article, or using the article as a spur to write a new related Wikipedia entry.

To conclude, we enthusiastically endorse the idea of writing a Wikipedia article for law school credit and hope that others take up the concept and improve on it.

Appendix: Useful Wikipedia Links

Below is a starting list of general and law-related Wikipedia links for those interested in the topic of contributing to Wikipedia for law school credit.

*Education Program:* https://wikimediafoundation.org/wiki/Wikipedia_Education_Program

*Education/Syllabi:* http://outreach.wikimedia.org/wiki/Education/Syllabi


*Stub Articles (by Category of Law):* https://en.wikipedia.org/wiki/Category:Law_stubs

*Stub Articles (Canadian Law):* https://en.wikipedia.org/wiki/Category:Canadian_law_stubs

*Stub Articles (US Law):* https://en.wikipedia.org/wiki/Category:United_States_law_stubs

