In law studies, legal questions require complete and clearly substantiated legal answers. This is relevant for questions regarding fictitious or real legal cases, as well as for more open questions on a particular point of law. A helpful approach to structuring your legal reasoning and writing is the IRAC method. IRAC stands for: Issue, Rule, Application / Analysis, Conclusion.

This guide will briefly explain the IRAC method and give examples for how it may be used. Importantly, the IRAC method provides a framework only. Certain steps may require more or less emphasis depending on the legal question. This should become clearer the more you practice using this method.

**Step 1: Identify the Issue**
The first step is to identify, based on the given facts or information, the precise legal issue at hand i.e. the point of law that will determine the answer to the legal question posed. This may sound obvious, but often you will need to dig a little deeper to identify which point of law you need to unpack further. This then needs to be formulated in a concrete and specific manner, within the facts of the case at hand. For example:

a) Did the Individual A premeditate the act of shooting the victim, as required for the crime of ‘murder’ under the Dutch Criminal Code (Wetboek van Strafrecht)?

b) Can the violent acts of a Rebel Group R be attributed to State B under the international law of state responsibility?

c) Did EU Member State C violate the prohibition of quantitative import restrictions within the European Union (EU) common market under EU law?

**Step 2: Set out the Rule**
Once you have narrowed down the issue, you must then state the legal rule(s) applicable in that situation. It is generally helpful to first concisely summarise the general content of the rule. Both statute and case law are relevant here, and you must select the case in which the facts or legal issue are closest or most relevant to your case.

For example:

a) Article 289 of the Dutch Criminal Code (Wetboek van Strafrecht) contains the constituent elements for the crime of murder, including the ‘premeditation’ requirement. Relevant case law should be cited on how ‘premeditation’ (voorbedachte rade) is interpreted (e.g., ‘premeditated’ requires that the suspect has fully considered the decision made, and has had the opportunity to think of its meaning and consequences).

b) The International Law Commission (ILC) Draft Articles on the Responsibility of States for Internationally Wrongful Acts (ARSIWA) contain the general rules for attribution of acts or omissions to states. These provisions of ARSIWA are recognized as codifying customary international law. The type of attribution in the present example concerns that of private individuals ‘under direction or control’ of the State (article 8 ARSIWA). This criterion is further explained in case law, which should be set out as well.
c) The prohibition of quantitative restrictions on imports and ‘all measures having equivalent effect’, between Member States is contained in article 34 of the Treaty on the Functioning of the European Union (TFEU). The precise interpretation of measures with ‘equivalent effect’ can be found in case law, and should be spelled out here (e.g., measures hindering intra-community trade).

**Step 3: Provide your Application / Analysis of the rules to the facts**

In this step you must demonstrate your own thinking on how the rule should be applied to the case at hand. This is a very important part of your answer and is often awarded the most points in an assessment context. A helpful approach is to link each of the requirements contained in the ‘Rule’ to the facts of the case, and analyse whether you think the facts meet the legal requirements. This entails weighing and balancing (i.e., ‘Analysis), and is more than simply a restatement of the rule. Be careful not to make up any facts! If you think essential information is missing, you may explicitly state that you ‘assume’ certain prerequisite information. Common knowledge may also generally be assumed (e.g., the sun does not shine at night).

**Summarised Examples:**

a) The premeditation requirement of murder requires that Individual A must not have acted on an immediate emotional whim, but rather, in advance, consciously decided to kill the victim. Here, this was clearly the case, because Individual A first sent various threats, and then hid in the victim’s apartment with a gun, shooting them when they arrived.

b) Attribution based on ‘direction or control’ of a State requires that State B would leave the rebels with no decision-making autonomy. In this case, however, the rebel commander determined key elements of the mission independently. This is evidenced by the fact that the commander set out the targets and the timing without even informing State B.

c) Even though State C’s measure does not openly restrict imports on tulips from other Member States, it may still be captured by the broad definition of ‘measures having equivalent effect’. By requiring that all tulips receive a Certificate of Flower Safety before entering the market of State C, producers from other States face an additional production burden, whereby intra-Community trade is de facto ‘hindered’.

**Step 4: Conclude**

Do not forget to round off your hard work in the Application/Analysis by providing a conclusion! This should refer back to the Issue – i.e., the overarching legal question you were tasked with answering. The conclusion should therefore link the results of your analysis to the overarching legal issue.

For example:

a) Individual A’s clear prior consideration of the act and its consequences therefore meets the premeditation requirement for murder under the Dutch Criminal Code.

b) As State B’s actions do not meet the legal threshold for ‘direction and control’ over the rebels, the acts of these private individuals cannot be attributed to the State under the international law of State responsibility.

c) By imposing an administrative burden on tulip producers from other EU Member States, State C’s measure constitutes a measure of equivalent effect to a quantitative import restriction in the sense of article 34 TFEU.

N.b. Sometimes you may also be asked to decide which party to a dispute is ‘correct’. In such cases, you must also conclude on this issue.

a) Therefore, Individual A’s defence that they have not committed murder, fails.

b) Therefore, State B’s argument that it cannot be held internationally responsible, holds.

c) Therefore, Company Y’s claim that State C has violated article 34 TFEU, stands.