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YLE [Finnish Broadcasting Corporation]

Prosecutor denies misrepresenting Päivi Räsänen's statements – slams acquittal and explains differences in interpretation with a horse analogy

The prosecutor has expressed her dissatisfaction with Päivi Räsänen's acquittal on charges of incitement against an ethnic group [hate speech]. According to the State Prosecutor, the decision of the Helsinki District Court “must under no circumstances remain final.”

Jesse Mäntysalo
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State Prosecutor Anu Mantila vehemently denied that the prosecutors have presented false or untrue information about the statements made by Päivi Räsänen (Christian Democrat), Member of Parliament.

On Friday, Mantila criticized in strong terms the ruling of the Helsinki District Court in the Räsänen case.

The Helsinki District Court acquitted Räsänen of all criminal charges. She was charged with three counts of incitement against an ethnic group. The prosecution demanded a minimum sentence of a fine equivalent to 120 days of personal income for the former Minister of the Interior.

The District Court refuted the prosecution's claims in the summons against Räsänen for statements she had made about homosexuals.

According to the District Court, the prosecutor alleged that Päivi Räsänen had made statements which she had not in fact made.

State Prosecutor Anu Mantila disagreed completely with the court. In her view, it was the prosecutor's duty to explain the meaning of Räsänen's statements, i.e. how they are to be interpreted objectively.

“The District Court has ruled that they cannot be interpreted as the prosecutor states in the descriptions of the offenses in the indictment. This interpretation is now the subject of disagreement.”

The charges were prosecuted in the District Court by District Prosecutor, Maija Päivinen, in addition to Ms Mantila. The prosecution was decided upon by the Prosecutor General, Ms Raija Toiviainen.

Prosecutor: District Court's interpretation is wrong; prosecutor's interpretation is correct

In a previous article, YLE went through the portions of the verdict where the prosecutor's allegations about Räsänen's statements were, according to the ruling of the District Court, incorrect.

In the opinion of the prosecutor, Räsänen had claimed in December 2019 on the YLE Puhe radio program that homosexuality was a “genetic degeneration and genetic inheritance that causes disease and disorder.”

According to the District Court, it is clear from the recording of the program presented as evidence that Räsänen had spoken about the role of genetic inheritance in homosexuality and the general degeneration of the human genome. However, according to the court, Räsänen had not made the allegation given in the indictment.

According to Mantila, the prosecution has resolved how and why they consider Päivi Räsänen's statements to be defamatory. In her view, the defamatory content of the statements is apparent when they are viewed as they are and in relation to the remainder of the text.

“We have put forward a reasoned objective interpretation of how these statements are to be understood. For some reason, the District Court does not see it or does not want to see it. The problem is the District Court's interpretation. We think it is wrong, and the prosecution's interpretation is right,” Mantila stated.

Päivi Räsänen commented at a press conference on Wednesday that the summons application made several false and inaccurate claims about her views.

Anu Mantila disagrees.

“No false or untrue information was given in these charges. That is very important.”

The State Prosecutor stresses that the text always has to be interpreted.

“Interpretation does not move along a truth-falsehood dimension. In the sense of Räsänen's public comments that the District Court has refuted the false allegations of the prosecutor... there was nothing false in the indictment. It sets out the prosecution's interpretation of how Räsänen's statements should be interpreted objectively.”

Kommentoinut [1]: I presume she meant: “truth-falsehood continuum”. But she clearly stated: “dimension”.

Mantila takes an analogy – as if spelling it out – of a horse.

“It is quite similar to when someone speaks about a four-legged creature with a mane and a tail, and then the prosecutor states that the speaker has meant a horse. That is her [the prosecutor's] interpretation of it. Then you compare whether the interpretation is correct compared to what is stated in the quotation.”

Trial likely to continue in the Appellate Court

Anu Mantila criticized the formulation of the wording in the Helsinki District Court's ruling as “bad in and of itself”.

“The wording of the District Court's reasoning now gives the impression that we had lied. We have not lied.”

Mantila says that the prosecution has on Friday expressed its dissatisfaction with the District Court's ruling as a whole. The case is therefore likely to continue in the Appellate Court. The appeal must be filed within 30 days of the District Court's decision.

“Under no circumstances should this verdict remain final,” Dr. Mantila underlined.