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Defendants convicted by non-unanimous jury verdicts are prisoners of a law that was designed to discriminate against them and disproportionately silence African American jurors. Simply pledging to uphold the Constitution in future criminal trials does not heal the wounds already inflicted on Louisiana’s African American community by the use of this law for 120 years. The reality of that harm “and the resulting perception of unfairness and racial bias—[has] undermine[d] confidence in and respect for the criminal justice system.” *Id.* at 1418 (Kavanaugh, J., concurring in part). At stake here is the very legitimacy of the rule of law, which depends upon *all* citizens having confidence in the courts to apply equal justice.