

USING **SHOULD HAVE** TO EXPRESS **REGRET** OR **REPROACH**

Should, as we know, is a modal auxiliary which typically offers advice or expresses moral duty to act.¹ For example:

Mike: I have a brief due at the end of the week.

Mary: You should work on it tonight. You shouldn't go out.

Mary is giving Mike advice regarding actions he should or should not take if he wants to finish writing his brief in time. Following is another example:

Bob: Would you like to go to the movies, Sue?

Sue: Thanks, but I'm afraid I can't. I have depositions all day tomorrow, and I should organize everything tonight.

Sue is expressing her (social, ethical, or moral) duty to work late, rather than to go to the movies, if she wants to stay organized the next day.

Now look at the following examples:

Mike: I didn't work on my brief, and I finished it late.

Kim: You **should have worked on it every night till it got done.**

Sue: I went to the movies the night before my depositions. Everything was disorganized and chaotic when we deposed the witnesses.

Kim: You **should not have gone** to the movies. You **should have stayed at the office and organized all your files.**

Kim is *not advising* Mike and Sue. **It is too late** for advice. Kim is reprimanding, or *reproaching* them.

Look at the following example:

Larry: Did you have a good time at the party?

Bob: No, I didn't. I **shouldn't have gone.** I knew I would see my old girlfriend with another guy!! I **should have done** something else.

Bob is not expressing the *need* to act. **It is too late.** Bob is expressing his *regret* at having gone to the party. He regrets that he did not do something else.

¹ **Lawyers!!** **Note** that *should* expresses *moral* duty to act. *Should* cannot be used to express *legal* duty to act. To express *legal* duty to act in the affirmative (command or requirement), use *must* or *have to*. ("You *must* / *have to* file a response to the complaint within 30 days of receipt.") To express *legal* duty to *refrain* from acting, in other words, *prohibition* from acting use *must not* or *may not*. ("If a woman is charging your client with rape, you *must not* / *may not* enter into evidence a description of the clothing she was wearing at the time of the alleged rape in most states, including Illinois. 'No means no,' is the rule in most states.")

The **should (not) have** construction does two things –

1. points to the action taken; ² and
2. says that the **ACTION TAKEN** was **WRONG / INCORRECT**.

EXERCISES

Directions: **RESPOND** to the following situations with a reprimand or reproach.

Example: I ate three hot dogs and now I feel sick.

**You shouldn't have eaten so many of them.
You should have eaten just one.**

1. I couldn't understand a word he was saying.
2. I think I caught a cold over the weekend.
3. John lost a lot of money in Las Vegas.
4. I have a terrible hangover today.
5. We were only an hour away from the Grand Canyon, but we never went.

² Action taken is expressed in the **past participle**, also known as the third form of the verb. In the verb “go,” the past participle is “gone.” It is the third form: *go / went / gone*. The past participle of regular verbs, such as *work* or *file*, is the same as the simple past: *worked* and *filed*.

ANSWER SHEET TO EXERCISES

Directions: **Respond** to the following situations with a reprimand or reproach.

NOTE: The following responses represent **typical**, or possible answers to these statements. They are not the *only* possible answers, however.

1. I couldn't understand a word he was saying.

**You should have asked him to speak more slowly.
You should have asked him to clarify his points.**

2. I think I caught a cold over the weekend.

You shouldn't have gone jogging in the rain.

3. John lost a lot of money in Las Vegas.

**He shouldn't have gambled so much.
He should have set a limit for himself in advance.**

4. I have a terrible hangover today.

**You shouldn't have drunk so much.
You should have taken an aspirin before you went to sleep. I heard that really helps when you've had too much to drink.**

5. We were only an hour away from the Grand Canyon, but we never went.

You should have gone. You shouldn't have missed it. It's so beautiful.