

This bachelor thesis deals with the privilege of the President of the United States to withhold information from the Congress and ultimately the public, known as the executive privilege. The main theoretical approaches used are the unitary executive theory and also the model of imperial presidency by Arthur M. Schlesinger, which deals with governmental secrecy. The mechanism through which this executive privilege is applied is shown on two case studies. First analysed case is George W. Bush's claim of executive privilege in 2008 concerning the Environmental Protection Agency's decision not to grant California a waiver allowing the state to impose stricter vehicle emissions standards than required by the federal law. Second analyzed claim is the one made by Barack Obama in 2012 following the congressional investigation of executive officials involved in operation Fast and Furious. The thesis also includes the Watergate scandal which led to President Richard Nixon's resignation and became formative for the future perception of the privilege. Since the executive privilege is not mentioned in the United States Constitution, the thesis describes mechanisms of checks and balances that are able to limit the privilege and to what degree. Schlesinger's theory also focuses on the so-called "religion of secrecy" and therefore the very end of this thesis outlines the efforts of the Obama's administration to prevent leaks.